O. P. sent to R. R. L. 9/28/34

REFERENCE LIBRARY OF
HOUGHTON MIFFLIN COMPANY
2 PARK STREET, BOSTON

NOT TO BE TAKEN FROM THE SHELVES
EXCEPT BY PERMISSION OF
THE LIBRARIAN

REFERENCE LIBRARY * HOUGHTON MIFFLIN CO. * BOSTON, MASS.
Archive
Collection

This book may not leave the Offices
and if borrowed must be returned within 7 days

Digitized by the Internet Archive
in 2025 with funding from
Boston Public Library

https://archive.org/details/compendioushisto03palf

A

COMPENDIOUS HISTORY

OF

NEW ENGLAND

FROM THE

DISCOVERY BY EUROPEANS

TO THE

First General Congress of the Anglo-American Colonies

BY

JOHN GORHAM PALFREY

IN FOUR VOLUMES

VOL. III

BOSTON AND NEW YORK
HOUGHTON, MIFFLIN AND COMPANY
The Riverside Press, Cambridge

Copyright, 1873,
By JOHN GORHAM PALFREY.

Copyright, 1883,
By JOHN CARVER PALFREY.

The Riverside Press, Cambridge, Mass., U. S. A.
Printed by H. O. Houghton & Company.

CONTENTS

OF THE THIRD VOLUME.

BOOK IV.

PROGRESS IN THE REIGNS OF KING WILLIAM THE THIRD AND QUEEN ANNE.

CHAPTER I.

PROSPECTS DISCLOSED BY THE ENGLISH REVOLUTION.

	PAGE
Condition of the New England Colonies	1
Position of King William	3
Religious and Political Questions	4
New Official Organization in England	7
Religious Administration	11
Defeat of Measures of Toleration	12
Defeated Movement for restoring the abrogated Charters	13
Oppressive Colonial System of England	15
Revival of the Board of Trade and Plantations	17

CHAPTER II.

TROUBLES IN NEW ENGLAND AFTER THE REVOLUTION.

Royal Sanction to the Provisional Government of Massachusetts	20
Internal Condition of the Colony	21
War with the Indians	23
Their Inroads into New Hampshire	25
Their Maraudings in Maine	27
Declaration by England of War against France	29
Frontenac, Governor of New France	30
Confederacy of the Five Nations	31
Their Hostility to the French	33

French Intrigues with the Eastern Indians 37
Sack of Schenectady by French and Indians 39
Renewed Invasions of New Hampshire and Maine . . 40
Capture of Port Royal by Sir William Phipps . . . 42
His Unfortunate Expedition against Quebec . . . 43
Issue of a Paper Currency 52
Depressed Condition of Massachusetts 53

CHAPTER III.

PROVINCIAL CHARTER OF MASSACHUSETTS.

Agency of Mather and Phipps in England 54
Complaints of Governor Andros and his Friends . . 56
Obstacles to a Renewal of the Charter of Massachusetts . 58
Arrival in England of Andros and his Partisans . . 61
Discouragement of the Agents 65
Their Solicitations to the King and Queen 66
The King's Views embodied in a new Charter . . . 67
Provisions of the Provincial Charter 71
Its Unsatisfactory Features 75
Nomination of the chief Executive Officers . . . 78
Annexation of Plymouth to Massachusetts 79
Condition of the newly constituted Province . . . 81
Return of Phipps and Mather to Boston 82
Inauguration of Phipps as Governor 83

CHAPTER IV.

CLOSE OF BRADSTREET'S ADMINISTRATION. — THE WITCHCRAFT TRAGEDY.

Incidents of the Indian War 86
Depressed State of Massachusetts 88
Supposed Cases of Witchcraft in New England in early Times 90
Bewitched Children in Boston 92
Alarm of Witchcraft in Salem 95
Apprehension, Trial, and Execution of Persons charged with Witchcraft 97
Extension of the Excitement 102
Pause and Reaction 102
Insignificance of the Confessions of arraigned Persons . . 109

Defects in the Trials 112
Prevalence of the Superstition in other Times and Places . 115
Predisposing Circumstances in Massachusetts . . . 119

CHAPTER V.

ADMINISTRATIONS OF PHIPPS AND STOUGHTON.

Embarrassments of Legislation 126
Reconstitution of a Judiciary 127
Change in the Qualifications of Representatives . . . 130
Indian Hostilities at the Northeast 131
Abortive Enterprise against Canada 133
Imprudences and Quarrels of Phipps 134
His Recall from the Government 138
Renewal of Indian Hostilities 138
The Peace of Ryswick 146
Pacification with the Indians 147
Increased Rigor of the Colonial Policy of England . . 148
Aspirations of Joseph Dudley 149
Lord Bellomont made Governor of Massachusetts . . 150
Death of Governor Bradstreet 151

CHAPTER VI.

ADMINISTRATION OF THE EARL OF BELLOMONT.

Insecurity of the Pacification at Ryswick 153
Lord Bellomont's Arrival in Massachusetts . . . 155
Revision of the Judicial System of Massachusetts . . . 156
Lord Bellomont's Deportment and Observations in Massachusetts 159
His Prosecution of Pirates 161
Adventures of Captain William Kidd 163
Episcopacy in Boston 169
Establishment of the Church in Brattle Street . . . 170
Movements respecting the College 172
Death of Lord Bellomont 177
Death of Lieutenant-Governor Stoughton 178
Renewed Danger of the Charters 178
Renewed Hopes of Dudley 181
Appointment of Dudley to be Governor 183
Death of the King 184

CHAPTER VII.

NEW HAMPSHIRE, CONNECTICUT, AND RHODE ISLAND.

New Hampshire after the Revolution 185
New Hampshire constituted a Royal Province 188
Samuel Allen and John Usher in New Hampshire . . 188
Quarrel between Phipps and Usher 191
Disagreement between Usher and the Legislature . . . 193
Lord Bellomont in New Hampshire 195
His Dissatisfaction with Allen 196
Charters of Connecticut and Rhode Island . . . 198
Share of Connecticut in the War 200
Attempted Usurpation of Governor Fletcher . . . 205
Internal Condition of Connecticut 209
Questions of Boundary revived 214
Condition of Rhode Island after the Revolution . . . 215
Phipps's Claim to command the Militia of Rhode Island . 218
Lord Bellomont's Prejudices against Rhode Island . . 221

CHAPTER VIII.

ADMINISTRATION OF DUDLEY.

Dudley's Arrival at Boston 225
His Journey to Maine 229
Legislative Proceedings 229
Dudley's Rejection of Counsellors 234
War with French and Indians 235
Sack of Deerfield 240
Prolongation of the War 244
Defeated Expedition against Port Royal 250
Abortive Project against Canada 255
Conquest of Nova Scotia 257
Disastrous Expedition against Canada 258
Peace of Utrecht 265

CHAPTER IX.

ADMINISTRATION OF DUDLEY, CONTINUED.

Dudley's Claim for fixed Salaries 266
Disagreements between him and the General Court . . 267
Financial Difficulties 272

Claim of the Governor to reject a Speaker . . . 273
Lieutenant-Governors Povey and Tailer 274
Increased Confidence of the General Court . . . 275
Heavy Charges against Dudley 277
Trials of his supposed Accomplices 279
Complaints of him in England 281
His Attempts at Vindication 282
"Deplorable State of New England" 283
Reply to the "Deplorable State" 289

CHAPTER X.

ADMINISTRATION OF DUDLEY, CONTINUED.

The Mathers and Harvard College 291
Vice-Presidency of Samuel Willard 292
Presidency of John Leverett 293
Quarrel between the Governor and the Mathers . . 294
Discontinuance of the Governor's Claim to a fixed Salary . 299
Truce to his Dissensions with the General Court . . 301
Moderated Expectations of Massachusetts 302
Condition of the Colony at the Close of Dudley's Administration 303
Post-Office and Taxation 305
Financial Embarrassments 310
Financial Expedients 311
Agency for Massachusetts in England 312
Estimation of Dudley in Massachusetts 314
Colonel Burgess appointed to be his Successor . . . 315
Dudley's Death 316

CHAPTER XI.

NEW HAMPSHIRE, RHODE ISLAND, AND CONNECTICUT.

Dudley, Governor of New Hampshire 317
Controversy of New Hampshire with John Mason's Assign . 318
John Usher, Lieutenant-Governor of New Hampshire . 318
Trials of Allen's Claim to Lands 319
Forged Deed of Lands in Exeter 321
Differences between Dudley and Usher 321
Condition of New Hampshire 324

Usher superseded by George Vaughan 324
Dudley in Rhode Island 325
His Unfriendly Judgments of that Colony . . . 326
Threatening Movements of the Board of Trade . . . 328
Boundaries of Rhode Island on the West and North . . 328
Internal Condition of Rhode Island 329
Part taken by Rhode Island in the War 331
Part taken by Connecticut in the War 333
Sound Financial Policy of Connecticut 334
Adjustments of her Boundaries 335
Claims of John Mason and the Mohegans . . . 337
Hostile Pretensions of Dudley and Lord Cornbury . . 338
The Saybrook Platform of Congregationalism . . . 341
Yale College 343
Condition and Legislation of Connecticut 345
Death of Queen Anne, and Accession of King George I. . 348

BOOK V.

PROGRESS UNDER THE HANOVERIAN KINGS.

CHAPTER I.

ADMINISTRATION OF SHUTE.

Security and Contentment of Massachusetts 350
Ministry of King George the First 352
Policy of Massachusetts 353
Lieutenant-Governor Tailer 354
Appointment and Resignation of Governor Burgess . . 356
Governor Shute and Lieutenant-Governor Dummer . . 356
Condition of Massachusetts 357
Discouragements of the Governor 358
His Instructions from the King 362
His Disagreements with the General Court . . . 363
Proceedings relative to Supplies of Naval Stores . . . 364
Increased Dissensions with the General Court . . . 373
Duty on the Importation of English Goods 374

CHAPTER II.

ADMINISTRATION OF SHUTE, CONTINUED.

Question of the Right of the Representatives to organize their House 378
Increased Disaffection of the Representatives . . . 379
Nova Scotia constituted a Royal Province 381
Question as to the Right of the Representatives to adjourn themselves 382
Encroachments of the Representatives on the Governor's Military Power 383
Harvard College 384
Jesuit Station at Norridgewock 386
Assault upon it by Colonel Hilton 387
Treaty of Shute with the Abenaquis 388
Preparations for renewed Hostility 389
Expedition to Norridgewock 391
Operations in the Eastern Country 393
Altercations in the Government in relation thereto . . 394
Departure of the Governor for England 398
Condition of Massachusetts 398
Project of a Central Government 400

CHAPTER III.

ADMINISTRATION OF LIEUTENANT-GOVERNOR DUMMER.

Lieutenant-Governor Dummer 401
Continued Recusancy of the House 402
Progress of the War 404
Sack of Norridgewock 407
Communication with Vaudreuil 410
Lovewell's Fight 411
Peace with the Indians 412
Financial Arrangements 414
Shute's Complaints in England 415
Explanatory Charter 419
Project of a Synod 421
Death of King George the First 423

CHAPTER IV.

NEW HAMPSHIRE, RHODE ISLAND, AND CONNECTICUT.

Condition of New Hampshire in 1716 424
Lieutenant-Governor Vaughan 425
Disputes between Shute and Vaughan 426
Extension of New Hampshire Settlements 427
Armstrong, Deputy-Surveyor of the Woods 429
Condition of Rhode Island in 1715 430
The Charter of Rhode Island threatened 431
Share of Rhode Island in the War 432
Ecclesiastical Affairs in Rhode Island 435
Military and Civil Arrangements 438
Successive Agents of the Colony in England 438
Condition of Connecticut in 1715 439
Ecclesiastical Affairs 440
Yale College 442
Affairs of the Mohegan Indians 444
Share of Connecticut in the War 447
Measures of Reform 448
Mob at Hartford 449
Western and Eastern Boundary 450
The Charter in Danger 453
Dummer's "Defence of the Charters" 455
Death of Governor Saltonstall 456
New England Politics in the First Quarter of the Eighteenth Century 463

HISTORY OF NEW ENGLAND.

BOOK IV.

PROGRESS IN THE REIGNS OF KING WILLIAM THE THIRD AND QUEEN ANNE.

CHAPTER I.

PROSPECTS DISCLOSED BY THE ENGLISH REVOLUTION.

The early dreams in New England of an independence of the parent country had faded away. Repeated disappointments, and new views of existing advantages and dangers, had checked that enthusiasm for absolute liberty which prompted the emigrations. The interests of business had come to rival the interests and to modify and complicate the plans of politics. The local unanimity had been dissolved. Permanent parties had been formed with opposing judgments both upon local questions and upon questions of the relations of the colonies to the empire; the men qualified to lead opinion were not, as formerly, agreed in opinion among themselves.

As bodies politic, the colonies of New England were disabled. The most powerful and resolute of them, after triumphing in a sharp contest with the Ministry of King Charles the Second, had

afterwards been stricken to his feet. The charter of Massachusetts, the only unquestionable title of her citizens to any rights, proprietary, social, or political, had been vacated by regular process in the English courts. The condition of the four towns which were collectively called New Hampshire was undefined; they were awaiting a new organization. Plymouth, never endowed with a charter, was at the royal mercy, as indeed she always had been except so far as she had been protected by the influence or the imputed power of Massachusetts. The charters which Connecticut and Rhode Island had owed to Lord Clarendon's jealousy of the confederacy and hatred of Massachusetts were understood to have been surrendered — the latter with little reluctance — to the usurpations of Randolph and Andros. They had been resumed, but it was uncertain whether that anomalous proceeding would be allowed in England.

On the other hand, the reasons which had prompted the desire for independence did not now exist in the same strength as in earlier times. Except in the twenty years that intervened between the assembling of the Long Parliament and the restoration of King Charles the Second, New England, through her whole history, had been agitated by fears for her religious freedom. Throughout that period she had been disquieted by apprehension of encroachments from the English hierarchy, and during no small part of it by

alarm lest the government that claimed her allegiance should itself fall into vassalage to the Roman see. On the British throne, she at length saw a prince not only unquestionably Protestant, but understood to be strictly orthodox after the standard of her own doctrines and forms, — an unflinching Dutch Calvinist according to the pattern of the Synod of Dort.

King William the Third was indeed no enthusiast for the creed in which he concurred with the colonists. He was ardent only for the humiliation of France. During the seventeen years since he had been summoned, at the age of twenty-two, to direct the defence of his country against a devastating invasion of the French king, a succession of intrigues and wars against that monarch had been his perpetual occupation. Louis the Fourteenth, in his declining life, was, after his incongruous manner, a furious devotee to the Romish religion which he had always professed; and the defence of the reformed faith in England, Holland, and the North of Europe was involved in resistance to his power. But the Protestantism of William of Orange was not so fastidious as to withhold him from alliances with the King of Spain, with the Emperor of Germany and other Catholic princes of the empire, and even with the Pope. It might be true that, though the doctrine of predestination was dear to him, as it made an uncalculating courage easy, his religious belief, on the whole, had no strong hold of his mind;

for he was no brooder upon theories, but a busy man of affairs. But if, in that case, his Calvinistic subjects might not hope encouragement from him as a sympathizer, they might expect from him toleration as an indifferentist. Toleration had, on the whole, been the policy of his race, though his rough predecessor, Maurice, had broken the continuity of the tradition. William's position as Protestant head of coalitions composed of Catholics on the one hand, and on the other of Protestants of different names, imposed upon him as a necessity the professing of toleration. And he had given reason to believe that he would favor such legislation for the Church of England as should offer easy terms of comprehension to dissenters. The disaffection with which the new settlement was regarded by many of the clergy inclined him to favor the sectaries, who were warmly its friends.

But if King William was head of the Church of England, that body was constituted of warring members; nor would the degree of respect with which the rights of non-conformity were to be treated in his colonies be determined by his friendship or his discretion. In the danger which had lately distressed the Church, the dissenters, to whom the Church had all along been so cruel, had helped in its extrication. Had the Church learned moderation and lenity, and was it capable of gratitude? and if it should be indisposed to relent, how far would it prove able to overrule

or to persuade a tolerant sovereign? The 1689.
"Claim of Right," which constituted the April 11.
settlement for Scotland, contained an express declaration against episcopacy in that kingdom; if one form of dissent from the established religion of England might be established in Scotland, why not another form be permitted in Massachusetts?

Weighty questions of a different tenor were waiting for solution. As well at home as in the colonies, charters had been arbitrarily dissolved; would justice prevail for their restoration, now that liberty was won, or would the new government profit by the misconduct of the old, and refuse to redress wrongs which it never would have ventured to inflict? or would right be accorded to the strong and withholden from the weak, and London be reinstated while Massachusetts was denied? In the recent controversies, the colonists had claimed an interest, which the crown lawyers had disallowed, in the Great Charter; would the claim be still rejected, or would the birthrights of Englishmen to life, liberty, and property be henceforward understood in Westminster Hall as rights of Englishmen living in a colony? The colonists were well able to manage their internal affairs; would their discretion and public spirit be respected, or would they be embarrassed and teased by a meddlesome policy at court? Would the Privy Council continue to superintend them with an intermitting and lax control, or would they be placed, as repeatedly in

former times, under a special jurisdiction likely to be more vigilant and more vexatious? Would this new close alliance with Holland, or would any consequences of the great change in England, affect the strictness of that administration of the Navigation Laws which had lately threatened so much trouble?

If ever the people of New England imagined that in their king, born the citizen of a republic, they were to find a friend by reason of his being a friend to popular institutions, no calculation could have been more erroneous. Hard experiences had strengthened that love of power which belonged to his stern, self-relying, and ungenial nature. His life had been a long lesson of the inconvenience of restraints, and of divided authority, to one fated to act a great part. His enemy, the King of France, was master of his own resources; he could keep his secrets in his own breast; he could choose his agents; he could conceive and shape his own plans, mature them with his own silent observations, and put them in execution whenever he saw the time to be ripe. William's moment of greatest apparent power was when he was at the head of the most numerous coalition which for the time being he had been able to form. But the more parties he had won to his alliance the more unmanageable had he made it. In projecting a negotiation or a campaign he must consult and persuade a cabinet of equals, with rival interests to be conciliated;

with stupidity and ignorance in sovereigns and ministers to be cautiously approached; with whimsical apprehensions and jealousies to be allayed; with conceit to be humored; with sensitive obstinacy to be overcome, or soothed, or eluded. He who has thus felt the embarrassments of restricted authority naturally comes to covet absolute authority with a disinterested ambition. If he is prompted by generous aims, the restraints which disable him are felt with the more impatience and resentment. He can scarcely fail to become tenacious and greedy of power.

As it could not be supposed that the imported king was well acquainted with the conditions of English administration, his choice of advisers was a matter of much interest to his colonial subjects. And its interest increased as his own qualities and tastes became better known. Though a brave and skilful, he had not been an eminently successful, soldier. But he was the ablest political manager in Europe. He knew all the schemes, intrigues, and factions of all the courts, and had gauged the abilities and characters of all the controlling courtiers. It followed, that the special function which he assumed for himself when seated on the throne of England was the charge of the foreign relations of his realm. This department of affairs, including the military arrangements incident to it, he not only superintended, but personally conducted, with not much consultation, and not much aid. For other busi-

ness of the government he had little taste or preparation, and allowed himself but little time, leaving it mainly to his great ministers of state. When matters relating to it were necessarily brought to his notice, he was apt to make a summary disposition of them; the leading principle of his decisions being to take care that what the Revolution had left of the royal prerogatives should not be invaded, and that such opportunities for extending the sovereign's power as the existing jealous state of the public mind admitted should not fail of being put to use.

Of the official advisers of the king, the Treasurer and the Secretaries of State were those whose policy would most affect the interests of the colonies. Danby, formerly Lord High Treasurer, was not enough trusted to be restored to that post, though he had materially aided in the recent Revolution. The Treasury was put in commission; the eccentric Lord Mordaunt, afterwards Earl of Peterborough, being nominally at its head. But its efficient chief was Sidney Godolphin, under whose administrations, while formerly holding the same place at two different times, Randolph and Andros had perpetrated their odious usurpations. The Earl of Sunderland, from whom the colonies could have expected no kindness, was not at first reinstated in the office which he had forfeited by his treachery to King James. The new Secretaries of State were the Earl of Nottingham and the Earl of Shrewsbury. The

latter was too young to be yet known except for his brilliant personal qualities, and for the brave part which he had taken in the subversion of the late despotism. Lord Nottingham was a grave and moderate Tory; an undisguised lover of prerogative, though his loyalty had not been proof against recent exigencies; and a fanatical devotee of the Church of England.

The legal proceedings which terminated in the vacating of the charter of Massachusetts had been conducted in the courts of King's Bench and of Chancery, and had been pressed on by Sir Robert Sawyer, as Attorney-General. The new constitution of those courts was an occasion of concern to the colonies. The Great Seal was intrusted to a commission; the chief commissioner being Sir John Maynard, a statesman nearly ninety years old, universally respected in that corrupt age for courageous probity, and recognized as the greatest lawyer of his time. He had been a prominent member of the Long Parliament on the popular side, and one of the prosecutors of the Earl of Strafford. The new Chief Justice of the King's Bench was John Holt, a young man just risen into professional eminence and general esteem. He was known to entertain liberal sentiments in politics, and for his contumacy in respect to the dispensing power had been removed by King James from the office of Recorder of London. The first Attorney-General under the new order of things was Sir George

Treby, who, as spokesman for the corporation of London, had greeted the Prince on his arrival there as the representative of a line "consecrated from generation to generation to defending truth and freedom against tyrants."

The leaning of the king's mind in respect to the religious administration was thought to be indicated when presently after his accession he gave the bishopric of Salisbury, the only see then vacant, to Gilbert Burnet, a frank and active enemy to all intolerance, and even reputed to be a doubtful churchman. And the appointment of a successor to Archbishop Sancroft, when that fastidious prelate refused to take the oath of allegiance, afforded a further acceptable assurance of the bias of the royal mind. It was impossible that the enlightened and generous Tillotson should ever lend himself to a vexatious treatment of dissent.

Accordingly the course of religious administration in this reign was such as, if it did not give complete satisfaction to the dissenters of New England, yet afforded them sufficient practical
1689. security. An early proceeding of the con-
Feb. 13. vention which, after recognizing the Prince
May 24. and Princess of Orange as King and Queen of England, resolved on the same day to declare itself a parliament, was to pass an Act commonly known as the Toleration Act, "for exempting their Majesties' Protestant subjects from the penalties of certain laws." It left the Corporation

Act and the Test Act still in force. But all Trinitarian Protestants who should take the oaths of allegiance and supremacy, and make the legal declaration against popery, were now permitted to absent themselves from church and to attend conventicles, provided that their places of meeting should be open during religious services, and that their preachers should subscribe the doctrinal articles of the Church of England. It has been supposed that the terms of the Toleration Act were negotiated by John Locke. His writings show that he must have considered them inadequate to the ends of justice.

A repeal of the Test Act, and a measure of *Comprehension*, as it was called, including such alterations of the Liturgy and Articles as might satisfy the consciences of orthodox non-conformists and bring them into the Church, were both proposed. Patrick, Tillotson, Burnet, and Tennison were among the eminent churchmen who favored the compromise. But difficulties which proved to be insurmountable intervened. Even Whigs could not be persuaded to a unanimous agreement upon measures of so radical a character. Lord Nottingham, whose vast influence in the ecclesiastical circle might have brought about a generous indulgence, was well disposed to a comprehension, but the Test Act he was more inclined to strengthen than to rescind. The embarrassing subject was gotten rid of by a shift which only saved both parties from the morti-

fication of confessing a defeat. The houses petitioned the king to summon a Convocation of the clergy to give their advice. The Convocation met, and its temper was shown when Dr. Jane, the chief Oxford champion of the doctrine of passive obedience in the late reign, was chosen Prolocutor of the lower house by a majority of two to one over the liberal Tillotson. The bishops, as a body, were not averse to some indulgence to nonconformists. But the inferior clergy, disinclined to any concession of the sort, interposed all sorts of obstacles to the transaction of business. They wearied out the other party, and nothing was done. The favorable time for action by the civil government had been lost, for in the next Parliament the Tory party was so strongly reinforced, that there was no encouragement so much as to propose any plan of ecclesiastical reform, and the exclusive policy of the Church of England remains in vigor to the present day.

April. Nov. 20.

Another signally important measure of relief appeared to meet with favor on all sides, and if it had been matured in Parliament, would probably, in the circumstances, have encountered no opposition from the King, though on this subject he had practised a somewhat suspicious reserve, saying nothing in his "Declaration of Right" of either the restoration of charters, or the colonial maladministration of King James. In a bill which was introduced for the restoration of their char-

ters to corporations which had been wrongfully deprived in the late reign, the colonies of New England were expressly specified. The bill was lost by the indiscretion of its advocates, 1690. who insisted on attaching to it some pro- Jan. 10. visions of an unreasonably vindictive character. The king did not like this far-reaching severity against Tories, and being at the same time displeased at some expressions in the House of Commons of disapprobation of an intention which he had announced of going over to command his troops in Ireland, he suddenly prorogued the Parliament. It was presently dissolved, February. and writs were issued for another election. The opportunity had gone by. The Whig party, which had taken the lead in the late Revolution, was offended and weakened by the want of a more liberal confidence on the king's part, and this demoralization, and the displeasure produced by the harsh tenor of measures proposed by it in the late Parliament against political March 20. offenders, gave the control of the new Parliament to the Tories, whose sensibility to the abuses of the late reign was already blunted.

The question about the charters was to be soon resolved, but from this time another element of discord in the relation of the colonies to the parent country was to grow in strength, till it should create a chronic irritation between them.

With the Revolution which seated the Prince of Orange on the English throne, the commercial

interest in England obtained new importance, and the colonial system was vigorously developed. The colonial empire of England, now so vast, at that time comprehended not very much more than the settlements on the eastern seaboard of North America between Florida and Newfoundland, and a few islands of the West Indies, though already there were factories and forts on the Spanish Main, on the Gold Coast of Africa, and on both sides of the peninsula of Hindostan.

At so late a time as almost in the last days of the colonial subjection of New England, Edmund Burke set forth in a few words the accepted theory of the relation of colonies to their metropolis in terms expressing no sense of the vicious character of that system: "The ends to be answered are to make the new establishment as useful as possible to the trade of the mother country; to secure its dependence; to provide for the ease, safety, and happiness of the settlers; to protect them from their enemies; and to make an easy and effectual provision to preserve them from the tyranny and avarice of their governors, or the ill consequences of their own licentiousness; that they should not, by growing into an unbounded liberty, forget that they were subjects, or, lying under a base servitude, have no reason to think themselves British subjects. This is all that colonies, according to the present and best ideas of them, can or ought to be." Adam Smith recognized the fact of the application of this theory

in the dealings of England with her colonies in North America. "The first regulations," he says, "which she made with regard to them had always in view to secure to herself the monopoly of their commerce; to confine their market, and to enlarge her own at their expense; and consequently rather to damp and discourage than to quicken and forward the course of their prosperity." And he made no secret of his opinion of the character of this policy. He called it one of the "mean and malignant expedients of the mercantile system." "To prohibit a great people," he said, "from making all that they can of every part of their own produce, or from employing their stock and industry in the way that they judge most advantageous for themselves, is a manifest violation of the most sacred rights of mankind."

The legislation for restraining colonial trade for the benefit of the native Englishman began as far back as the time of the Commonwealth, when, by the "Act for Increase of Shipping and Encouragement of Navigation," commonly called the First Navigation Law, the colonist, prohibited from shipping his goods except in vessels built in Britain or a British colony, was precluded from making his bargain for freight wherever it could be had on the most favorable terms. From regulating the carrying trade, the legislation of Charles the Second passed to regulating the destination of the cargoes. By an Act of the first year after his restoration, colonial pro-

1651. Oct. 9.

1660.

duce could be carried nowhere else till it had first been landed in England; in other words, the colonial producer was obliged to sell his property on such terms as he could get from the native Englishman, or else to charge himself with a double freight, and with port dues and other expenses for entry and clearance in England. From thus compelling the colonists to sell in England, the next step was to compel them to buy from that country, which was done by another law forbidding importations into the colonies of "any commodity of the growth, production, or manufacture of Europe," except from "England, Wales, or Berwick-upon-Tweed," and in vessels built in England. To a strict execution of these laws the colonial governors were bound by their official oath, and the local revenue officers appointed in England for the colonies had all the same powers as in the parent country. The cupidity of the landholder was stimulated by that of the merchant. An apprehension arose that the industry of the colonial grazier and weaver would "sink the value of English land," and an Act of Parliament in one of the last years of King William forbade the loading "in any ship or vessel," or "upon any horse, cart, or other carriage," of "any wool, or manufacture made or mixed with wool, being the produce or manufacture of any of the English plantations in America," to be conveyed "to any other of the said plantations, or to any other place whatsoever."

1663.

1699.

For thirteen years before King William came to the throne the colonial administration had been conducted by a committee of the Privy Council. The new committee appointed from that body on his accession pronounced the management to have been unsatisfactory. They represented that "the present circumstances and relation the colonies stood in to the government of England was a matter worthy of the consideration of Parliament, for the bringing of those proprieties and dominions under a nearer dependence on the crown, as his Majesty's revenue in the plantations was very much concerned therein." He had too many affairs on his hands to be able to spare attention for questions that might be deferred; and a reference to Parliament, which might involve a concession of prerogative, was not to be made without consideration. Complaints from the merchants of Bristol and Liverpool that the Navigation Laws were evaded to their private loss, and to the damage of the commercial interests of the realm, awoke a new jealousy on the subject of colonial lawlessness, and steps were taken in Parliament towards the establishment of a *Council of Commerce*, which it was thought would have been followed up but for a diversion of public attention to a plot for the assassination of the king. Taking the question into his own hands, he proceeded to revive the *Board of Trade and Plantations*, with authority to ascertain the condition of the

1675. Dec. 21.

1689. May.

1695. Dec. 16.

colonies in respect both to internal administra-
1696. May 15. tion and to commerce; to examine the instructions which had been given to colonial governors, and propose amendments; to recommend suitable persons for colonial appointments; and to scrutinize the acts of colonial legislatures. The Board, now constituted of fifteen commissioners, continued to exist till the close of the war of American Independence.

1672. John Locke, who had been Secretary to the Council for Trade in the time of King Charles the Second, was one of the commission-
1697. Jan. ers now appointed, but he soon withdrew, finding the studious habits which he cherished inconsistent with the active duties of the place, and the necessity which it imposed of converse with numbers of men. An Act of
1696. Parliament confirmed the existing regulations of trade, and increased their oppressiveness by some minor provisions.

CHAPTER II.

TROUBLES AFTER THE REVOLUTION.

The emancipation from the tyranny of Governor Andros and of his infatuated master was an immense relief to New England; but it would have been without a parallel among political revolutions, if it had been followed at once by a satisfactory condition of affairs. In Massachusetts, the government which was set up was on all hands understood to be provisional merely. This admission was unfortunate for the public repose, both as indicating timidity on the part of the persons at the head of affairs, and as keeping alive a question which left the obligations of citizens undetermined. The case of Massachusetts differed from that of Rhode Island and Connecticut in the very important particular that her charter had been formally vacated by legal process. But this had been done with circumstances of such injustice, and so resembling those which in England had excited extreme resentment when the municipal corporations were the sufferers, that the new King and his servants would not probably have taken offence had Massachusetts reconstituted her ancient government as still of right ex-

isting; while the local administration would have derived respect and authority from the confidence displayed in that pretension.

1689. July 13. The first General Court, constituted according to the ancient charter, adjourned after a five weeks' session, having first declared all laws to be provisionally revived which were in June 22. force at the time of the inauguration of July 5. the council under Dudley's presidency, and instructed the judicial courts to resume their functions as exercised at that time. This was all which for the present could be done, and everything remained in suspense till, near the Dec. 3. end of the year, Bradstreet was able to communicate to the court a letter from the King giving authority to the persons now in Aug. 12. office to "continue the administration of the government" till his further pleasure should be made known, which did not come to pass till after nearly three years more.

Instead of retaining their places by virtue of this sanction, as it seems they would have been justified in doing, the Magistrates chose to interpret it as authority for maintaining the old charter government, and annual elections were accordingly ordered and held for the present as in former times, resulting in three successive designations of Bradstreet and Danforth to the two highest offices. The General Court must have considered

1690. Feb. 12. itself as increasing its chances for a renewal of the charter when it modified the

law for admission to the franchise, reducing the amount of the pecuniary qualification, and repealing the provision which required a testimonial to the candidate's religious character from his minister, a certificate from selectmen to the effect that he was "not vicious in life" being recognized as an equivalent. Bradstreet was probably infirm in health during the first winter of his new administration, as he appears to have been absent from all the meetings of the Magistrates for six months. On an alarm from Albany, which is presently to be spoken of, Wait Winthrop was made "Major-General of the military forces."

1689. Dec. 4 – 1690. May 28. Feb. 13.

The degree of good order which prevailed during this long suspension of a legitimate government gave evidence, on the whole, of the peaceable disposition of the people, and of their attachment to the leaders whom they had empowered for the existing crisis. But it was impossible that quiet and content should be complete, while questions of such moment were unsettled. Would the old charter be restored, with or without alteration of its grants? If not, what frame of government would succeed it? What degree of self-government would be allowed? What force would be conceded, not only to acts of the existing provisional authority, but to the colonial legislation of two generations, during which the powers conveyed by the charter had been differently understood in the colony and in

England? Nor was there wanting a party spirit to take advantage of the solicitudes excited by such uncertainties. Besides persons who were prompted by considerations of direct personal advantage, there was a class not inconsiderable for numbers or capacity, among the recent immigrants especially, who, either from genuine sympathy with the absolutist party in England, or making what appeared to them the better choice among evils, disapproved the recent rising, and who, when not venturing on active measures to obstruct the patriot authorities, viewed them with a malign or suspicious eye, and at best afforded them no cheerful support.

The embarrassments thus occasioned could not but perplex a government which had not, in a high degree, the strength of personal ability and character. Well-meaning and painstaking as he was, the now aged governor had never been eminently fit for difficult occasions. Danforth, besides being in only a secondary place, was occupied with his special business in the administration of Maine; and, except him, no other Counsellor possessed capacity equal to that of some of the partially disaffected persons, who, like Stoughton, retained more or less traditional hold upon the public confidence. So loose, in fact, proved the bonds of authority, that a press of men for military service was sometimes resisted. So was, in repeated instances, the collection of taxes. A court constituted for Middlesex County, under

commissions from Governor Andros, persisted in exercising its jurisdiction, and was only stopped by its members being sent to gaol.

One consequence of this uncomfortable state of affairs was the inefficient prosecution of the war in which Andros had had such imperfect success. To the hostile movements made by the natives in the last summer of his administration he had at first attached little importance, though they appeared in a different light to his associates in the government. The indulgence which he preferred to practise towards the savages had so little of the expected effect, that he presently felt obliged to abandon that policy, and undertake a winter campaign in the eastern country. The recall by the provisional government of the troops which he had posted there, however justified by other considerations, had an unfavorable influence on the prospects of the war. 1688, 1689.

The number of Indians remaining within the closely settled portions of New England was not now considerable enough to require any special precautions against disaffection which might arise among them. Four years before the Revolution, Governor Hinckley estimated their number, including all ages, in Plymouth, where they were much more numerous than in the other colonies, at less than six thousand. Thirteen years later it was believed that in Massachusetts proper there were not many more than two hundred. These were all reckoned 1685. 1698.

among *praying Indians*, though experience had shown that in respect to security for their harmlessness their small numbers were to be more regarded than their religious profession. But the force of the tribes which roamed over the wide tracts now occupied by Maine, New Hampshire, Vermont, and Western Massachusetts was still unbroken, and had probably even been largely increased by the resort of savages who had been expelled from their seats in the war which had been waged almost continuously since the outbreak of King Philip.

Leaving out of view the seven outlying towns on Connecticut River, which, in some sort, though imperfectly, were covered by New York and the friendly Iroquois Indians, the frontier of Massachusetts at this time may be traced by a line beginning at Falmouth on Casco Bay, and running along the towns of Scarborough, Saco, Wells, York, Dover, Exeter, Amesbury, Haverhill, Andover, Dunstable, Chelmsford, Groton, Lancaster, and Worcester. The withdrawal of the troops from the eastern country was a signal to the tribes in that quarter to renew their turbulence. Of the four towns of New Hampshire, Portsmouth and Hampton lay a little out of the track of the marauders as they passed westward from their chief places of strength on the Penobscot and the Kennebec; and Portsmouth had numbers and defences which afforded it some security. It is matter of wonder that the brave inhabitants

of the other two towns should have persevered to maintain their position through that miserable war which raged during the greater part of King William's reign of thirteen years.

Dover, lying at the lowest convenient fording-place of the Piscataqua, and with an ungarrisoned territory to the north of it, was kept in perpetual alarm. In the first days of the anarchy, as it may be strictly called, which in New Hampshire followed upon the deposition of Andros, the Indians undertook an enterprise, dictated, it seems, by resentments which had been nursed through thirteen years. At Dover, by the lower falls of the tributary river Cochecho, were five of those *garrison-houses*, as they were called, which were common at outposts; that is, houses slightly fortified for the purpose of receiving a number of neighbors in case of any alarm. One of these belonged to Major Waldron, who by a stratagem had made prisoners of four hundred Indians towards the close of Philip's war. To each of these houses on a summer evening came two Indian women, and begged for a lodging, 1689. which was refused them at only one. June 27. When the other inmates were asleep, the women unbarred the doors, and whistled as a signal to their confederates, who had been approaching in the darkness. A hand-to-hand fight with the whites was what the Indians always shunned, but they had now a great advantage while the just awakened sleepers were groping for their arms. One

house was alarmed by the barking of a dog, in time for the inmates to rally and defend it. Among them was a minister, who threw himself on his back with his feet against the door, and so held it till the muskets of his friends began to take effect. The house which had not admitted the spies seemed safe, but its owner was son of his next neighbor, whom the savages brought within his hearing, and threatened to kill if a surrender continued to be refused. Filial affection prevailed, and the occupants of both houses were put together in a separate building, to be carried away to the eastern country. But they were negligently guarded, and managed to escape.

Both of the two other garrison-houses were burned. Waldron's was, of course, the object of special attention. He was eighty years old. At the first disturbance he leaped from his bed, and, seizing his sword, drove before him some Indians who had already entered his chamber. While he returned for fire-arms, one of the savages followed him closely and struck him on the back of the head with a hatchet. The blow of the coward was feeble, and Waldron was only stunned; but while for the moment he was helpless the Indians dragged him into his hall, and tied him in a chair placed upon a table. Then they gashed his body with their knives, one saying after another, "I cross out my account." They cut off his nose and ears, and

crammed them into his mouth, and at length put an end to his sufferings with his own sword.

Twenty-three white people were killed at this time, and twenty-nine made prisoners. Several of the latter were sold to the French in Canada, being, as has been believed, the first English captives who were thus disposed of. The easy success which had attended this enterprise invited a repetition of it, and within only two months another part of Dover called *Oyster River* (now Durham) was attacked. August. Eighteen men were killed while at work in the fields. Two boys, who with some women and young children were in a house where there were fire-arms, defended it till it was set on fire, when they surrendered on a promise that their lives should be spared. The conquerors impaled one of the children, killed two or three others, and carried away the rest of their prisoners. A gang of Indian strollers murdered four Englishmen at Saco, but, firing upon a party which went out to bury the bodies, were driven off with loss. July. The important post at Pemaquid was assailed. Aug. 2. The officer in command surrendered himself and his fifteen men on the condition of being dismissed in safety; but several of the garrison were put to death or led away captives. The scattered settlers east of what is now Portland (if *settlements* their places of precarious habitation can be called) withdrew into a few poorly fortified houses.

In the course of these operations there was treacherous communication, not suspected at the time, between French priests in Canada and Indians about Boston. It was this which, according to a statement of the French governor-general, led during the summer to the death of no fewer than two hundred Englishmen, and the capture of sixteen fortified places, with twenty cannon.

The General Court of Massachusetts, suddenly convened by the governor, resolved to raise six hundred men for service in the eastern country, and appointed Jeremiah Swayne to the command. The enlistment for this service did not proceed with energy, owing partly to causes that have just been explained, and partly perhaps to want of confidence in the commander, who had his reputation still to make. But a considerable body of Massachusetts troops took the field, under Major Church, the soldier of Philip's war, who brought from Plymouth and Rhode Island a reinforcement of two hundred and fifty men, English and Indians. Church's former good fortune did not follow him. He went by sea to Casco, and thence marched as far as the Kennebec, fighting on the way an indecisive action, in which he sustained considerable loss. He proceeded some distance up that river without finding the enemy, and before winter returned to Boston.

Aug. 21.

Septem-ber.

These were but operations of a *little war*, though of a sufficiently distressing one. In the

next year there appeared openly a new party to it, occasioning it thenceforward to be conducted on a vastly larger scale. The New England people now began to be acquainted with the price they were to pay for the happiness of seeing the Calvinistic Prince of Orange on the British throne. He had not reigned three months when England declared war against France. A series of wars between New England and New France began, which with only one long interval lasted for seventy years, both parties availing themselves of aid from the savages, the French especially, who by their missionaries succeeded best in establishing an interest with the tribes. A line of French stations, admitting of communication, though sometimes far apart, already extended through the interior of the continent, from the mouth of the St. Lawrence to the mouth of the Mississippi, enclosing the whole line of English colonies on the Atlantic shore. From the rivers Mississippi and Ohio, France pressed upon Carolina and Virginia with her Indian allies; from the great lakes, on New York; from the Penobscot and the upper waters of the Connecticut, on Massachusetts. In her relations to the North American tribes, proselyting was her object everywhere, her agents being Jesuit and Recollet missionaries. In her relations to the tribes of the North she had two further objects, — the command of the cod-fishery and of the fur-trade.

May 7.

The population of Canada at this time did not amount to more than twelve thousand persons, or about one eighth part of the population of New England. For nearly thirty years
1663. the government, relinquished by a partner-
1627. ship of adventurers which was instituted by Cardinal Richelieu under the style of the *Hundred Associates*, had been supervised for the King by Colbert and Louvois, who found most efficient auxiliaries in the ecclesiastics congregated at Quebec and Montreal, and scattered thence over the hunting-grounds of the native tribes. M. de Callières, royal governor of Montreal, and commander-in-chief of the forces in Canada, was in France when the news of the English Revolution reached that country. He
1689. immediately submitted to the Minister of
January. Marine a plan for a general attack on the northern English Colonies. He had already in his government thirteen or fourteen hundred regular soldiers. With them and six hundred militia he proposed to capture, first, Albany, approaching it by the way of Lake Champlain, and then New York. The scheme was approved, and to execute it an officer who had formerly for
June 7. several years had experience as governor of New France, was restored to that position. Louis de Buade, Comte de Frontenac, now nearly seventy years old, was a man of energy and talent equal to the great occasion which now demanded them. His instructions

required him to execute the conquest, if possible, in season to return to Canada before winter, with as many of his troops as should not be required to secure the new possessions. He was at the same time "to profit by circumstances to conclude a solid and advantageous peace with the Iroquois."

Iroquois was the collective name given by the French to those tribes which, called by the English the *Five Nations*, acted from this time forward so important a part in the conflicts between New England and New France. When they first became known to Europeans, these tribes, bearing severally the names of Mohawks, Oneidas, Onondagas, Cayugas, and Senecas, possessed most of the territory which now constitutes the State of New York, extending themselves in the order in which they have been named from Hudson River to Lake Ontario and Lake Erie, while by conquests in their perpetual wars they had spread their power on the one side over a considerable region north of those lakes, and in the opposite direction, to the western borders of Virginia and Maryland. From an early time the New England colonists had had some knowledge of the Mohawks, who claimed a sort of jurisdiction over the Mohegans of Connecticut, but it was not till a half-century after the colonization that New-Englander and Iroquois were brought face to face.

The Indians of the Five Nations were a su-

perior race to the aboriginal people of New England. Though not less ferocious and cruel, they had more sense of truth, more intelligence, and more courage. The permanent alliance of the tribes with each other, which constituted them so great a power, could only have existed on the basis of some capacity for political organization. Each nation was in the last resort independent of the rest, and, moved by interests or passions of its own, a single nation would sometimes contract engagements and pursue measures inconsistent with the objects of the confederacy. But interferences on the part of one or more tribes with the policy of the rest as to peace or war were a departure from their normal course of action.

Owing to various causes, such as their physical constitution, their perpetual and destructive wars, their occupation as hunters, which required large spaces of land, and their wretched domestic habits, giving to their progeny a poor chance for life, the population of the Five Nations was small in comparison with the extent of their domain. Their whole number was never rated at above ten thousand persons, of whom their males of military age were believed to be three thousand, — a little less than one third part.

In the rivalry of European interests on this continent, the Iroquois were generally friends to the English, though not without those fluctuations which belong to the caprice and impressi-

bility of savages. They found the best customers for their furs in the foreigners who commanded the mouth of the Hudson, and, on the other hand, their jealousy was constantly reawakened by the persistency of the French in attempts to establish themselves on their soil by means of posts on the way from the great lakes to the Gulf of Mexico. Bent on chastising an attack of the Senecas upon some French whom they accused of supplying their savage enemies with fire-arms, De Barre, governor-general of Canada, led a force of fifteen hundred men into the country of the Five Nations. By the time that he had reached the southeast corner of Lake Ontario, he found his soldiers so much disabled by the fatigue of the march and the heat of the summer, as to make pacific measures prudent, and he undertook a negotiation, the result of which was that the Indians contemptuously allowed him to withdraw without further damage. 1684.

The Marquis de Nonville, succeeding to the government of Canada, came resolved to remove the discredit which had fallen on his master's power. With an army of fifteen hundred French and five hundred friendly Indians, he penetrated as far as the country of the Senecas, the tribe which was the chief object of his resentment. There, falling into an ambuscade, he met with heavy loss, and was compelled to a precipitate retreat. The Indians did not 1685. 1687. June.

pursue their advantage with the vigor which they might have exerted had they had proper support from the governor of New York, who had orders from the King, dictated by his subserviency to the crown of France. As it was, after some fruitless attempts of the French to obtain a pacification by treaty, twelve hundred Iroquois warriors came to the island of Montreal, and spread a terrible devastation around that city, burning the houses, and killing, it was said, more than a thousand of the people. A further consequence of these transactions was, that for the time the French lost most of the Indian allies, whose fidelity to them had hitherto been steady.

1689. July 26.

This took place just after the overthrow of the government of King James the Second in the parent country, and of Governor Andros in New England. New France appeared to be in an almost desperate condition. Her pecuniary distress was not what in similar circumstances was brought about in New England, for the King took care of her military outlays; but her loss of men in the war had been severe; her husbandry had unavoidably been neglected; her interior trade was cut off; and an exasperated savage enemy was at her doors, not less powerful, probably, in numbers, than her own people; well united together, for the present, by a common hate and fear; with plenty of recent experience in the kind of warfare in which they were most formi-

dable; animated to new action by their recent success.

If New France in such circumstances seemed unequal to cope with the vigorous Five Nations alone, its doom might appear to be certain when, war having been declared by King William against France, the hostile savage power was backed by the equally interested hostility and superior military efficiency of New York and New England. But precious time passed and nothing was done. After the deposition of Governor Andros, the governments of New England remained in an undefined and ineffective state. In New York, incapacity in the successive rulers, party spirit and turbulence among the English people, and the chronic dissensions and jealousies between them and their more numerous Dutch fellow-citizens, whose behavior provoked from the contemporary historian the comment that "many of them had none of the virtues of the country of their origin, except their industry in getting money," and that "they sacrificed everything other people think honorable or most sacred to their gain," were at the all-important crisis fatal obstacles to strenuous action.

The threatening attitude of the Five Nations, and the recent demonstrations of their strength and boldness, necessarily embarrassed and postponed the enterprise with which the new governor of New France was charged. Immediately

1689. Oct. 2. after his arrival at Quebec he proceeded to Montreal, whence he sent emissaries to endeavor to engage the tribes in a negotiation for a peace, with the less chance of success, as at a great council at Albany the chiefs had just been renewing their engagements with the English. At Onondaga they convened another council to consider his proposals, but its result was a renewed declaration of their purpose to "adhere to the old chain" with Corléar (the planters of New York), and prosecute the war against Onondio (the French). But they were not satisfied with the military arrangements of one division of their allies. They thought they saw a more promising course of action. "Brother Kinshon," they said to the messengers present from New England (which country they symbolized by the Oneida word for *fish*), "we hear you design to send soldiers to the eastward against the Indians there, but we advise you, now so many are united against the French, to fall immediately on them. Strike at the root; when the trunk shall be cut down, the branches fall of course. Corléar and Kinshon, courage! courage! In the spring, to Quebec! Take that place, and you will have your feet on the necks of the French, and all their friends in America."

September. 1690. Jan. 22.

But while they announced and counselled so correct a policy in relation to the French, they were not prepared for such action as would have made them immediately useful to New England.

At the conference which had lately been held with them by commissioners from Massachusetts, Plymouth, and Connecticut, while the chiefs were profuse of protestations of friendship, they could not be brought to undertake hostilities against the Eastern Indians, with whom they said they had no quarrel. The better information which Frontenac possessed concerning these Eastern tribes gave him encouragement as to the use which they might be made to serve. "The Abenakis or Cannibas . . . . . ordinarily reside on the river Quinebaqui [Kennebec], and disperse themselves for the purpose of hunting as far as Quebec, whither they have been attracted by the missionaries. Of all the Indians these are the bravest and most formidable to the English. The experience of what they effected last year by the capture of Fort Pemcuit [Pemaquid] and sixteen palisaded settlements, ought to be an assurance of what may be expected from them, were they to receive some assistance for the expeditions on which they can be led against the Iroquois in the direction of Quebec, and against the English towards Acadia. . . . . The preservation of Acadia is due to these Cannibas. They alone have prevented the English invading and settling it; and its security depends for a solid foundation on the continuance of the war they will wage against the English." Such was part of a report submitted by the governor to the King, and he concerted his meas- 1689. September.

ures accordingly. The King concurred in his opinion. "As the settlement of the Cannibas," he wrote, "is particularly towards Acadia and in the vicinity of the New England settlements, where they seized Fort Pemkuit and several fortified posts, they ought to be encouraged to continue the war there."

As the new French governor viewed the circumstances in which he stood, he found it material to give the English colonists employment at home, to restore the spirit of his own people by action, and to re-establish with the savages the credit of the French arms. To quell the presumption of the Iroquois it was necessary to convince them that their reliance on the protection of the governor of New York was insecure, and that, notwithstanding present appearances, the pledges by which they expected to avert unfriendliness on his part would expose them to at least equal trouble from the resentment of the French. Proceeding on these considerations, Frontenac organized three parties for attacks on as many points, distant from each other, of the English border.

Schenectady, called by the French *Corléar*, by which name, believed to have been the name of a Dutch inhabitant of the place, the Indians also designated the colony of New York, lies twenty miles northwest from Albany. At the time now treated of, it contained perhaps five hundred inhabitants. Being considered as exposed to an

inroad, Connecticut sent a few soldiers, under Captain Bull, for its protection. A party of a hundred and ten Frenchmen and about as many natives reached the place by a difficult march of three or four weeks from Montreal. They were so exhausted when they reached their destination, as to be all ready to surrender had they encountered any resistance. But to their great joy they found the place unguarded. The inhabitants had not believed such an invasion to be possible; and on account of the inclement weather had allowed their sentries to be withdrawn. The surprise was complete. At two o'clock of a severely cold morning the assailants entered through a gate which they found open. "The massacre," according to the French officer's report, "lasted two hours." "There were upwards of eighty well-built and well-furnished houses in the town," of which all were burned but two. "The lives of between fifty and sixty persons, old men, women, and children, were spared," they having escaped the first fury of the attack. Thirty prisoners were led away. A list is preserved of the names, mostly Dutch, of sixty persons who were killed, of both sexes and all ages. Of the two gates of the town, the invaders had not been able in the darkness to find that which opened towards Albany, and by it some of the miserable people escaped through "snow above knee-deep," several of them being so frozen on the way as to be maimed for life. Of fifty horses

1690. Feb. 8.

which they captured, the victors had to kill almost all for food on their return march. The details of the massacre are of the most revolting description.

Jan. 18–March 18. Of the three parties despatched at the same time by Count Frontenac for depredations in different quarters, another, led by an experienced officer, named Hertel, and consisting of fifty men, of whom one half were Indians, reached by a winter march of two months the village of Salmon Falls, in Dover. Making their attack just before daylight, as was their practice, they found their victims unprepared. They killed thirty men, burned the village, and led away more than fifty prisoners, most of whom were women and children.

The third party, leaving Quebec on the day of the departure of the last mentioned from Three Rivers, and taking such a direction towards the coast as almost to traverse a formerly inhabited part of the province of Maine, reached Casco Bay after a tramp of four months, prolonged by a want of provisions which forced them to supply themselves by the chase. At the spot where they came to the sea, a hundred Englishmen were collected in an intrenchment, which was mounted with eight pieces of cannon. Observing the French to be preparing to push a siege with regular approaches, the garrison surrendered at discretion on the second day of the investment. The fort was demolished, and

May 17.

all the buildings around it reduced to ashes. The flag had scarcely been struck, when four vessels sent from Boston to relieve the place appeared in the offing. There was nothing for them but to put to sea again. The garrison were led into captivity at Quebec. A portion of the victorious party took the ill-fated Dover on their way back. There, at a hamlet called Fox Point, they captured six persons, killing twice as many, and burning some houses. Later in the summer a party of Indians fell upon Exeter, July 4. where on one day they killed eight persons whom they found mowing in a field, and in the next put to death as many more belonging to a garrison-house, from which, however, the savages were repulsed. Two companies of English, following an Indian track, found at Wheelwrights' Pond, in Dover, a superior force, which July 6. they attacked without success, being obliged to draw off after the loss of several men, of whom twelve were killed.

The alarm was great throughout New York and New England, the greater because the Mohawks, disgusted with what they considered the pusillanimity of the Dutch and English, many of whom, terrified by the disaster at Schenectady, had moved down the river, seemed to be wavering in fidelity to their alliance. Connecticut, not herself immediately exposed, sent troops to secure the upper towns on Connecticut River. The General Court of Massachusetts invited a consulta-

tion of commissioners from the several colonies as far south as Maryland. A meeting took place at New York, and part of the result of its deliberations is to be seen in the expedition against Quebec which is presently to be described. Meanwhile a spirited enterprise was proceeding which Massachusetts had set on foot. That colony despatched seven or eight hundred men in eight small vessels for an attack on Port Royal in Acadia, from which place privateers had been fitted out to prey upon her commerce. The expedition was under the command of Sir William Phipps, who was now for the first time made a freeman, having "voluntarily offered himself" for the service. It had complete success. Port Royal, surprised and unprepared for resistance, surrendered at the first summons, and Phipps followed up his good fortune by capturing and destroying the French fort at the mouth of the river St. John.

May 1.

April 28.

Unfortunately, this gratifying exploit gave new encouragement to the more ambitious scheme, the consideration of which had hitherto been only approached with a reasonable and warning conviction of its difficulty and hazards. The conquest of New France was indeed no new idea. The project had formerly found favor in England, and, encouraged by the remembrance of this approval, the General Court sent a vessel to solicit from the King a supply of arms and ammunition, and the aid of a naval force, — the

March 12.

first time that ever Massachusetts asked military help from England, and now with the purpose of a foreign conquest for the crown. The fruitlessness of the application did not defeat the enterprise. The present time, if any, seemed in some respects highly suitable for its prosecution. It was believed that Quebec was not in a good condition for defence. The existing animosity of the Five Nations against the French promised a formidable auxiliary force, and their urgency for the movement was even such as it might not be prudent to oppose. The conquest would be an immense benefit to Massachusetts, in respect to her security for the future against disturbances from the Eastern Indians, as well as to hostile relations always likely to exist with the French, whose aggressions had hitherto been so brutal. A special reason for energetic action at the present moment was presented by the position of Massachusetts at the British Court. Soliciting as she was from the King a restoration of her charter, in no way could she better recommend herself to his good-will than by laying at his feet the dominion of New France, the conquest of her arms. A solemn proclamation was sent out, exhorting the people to seek by repentance for sin the Divine intervention, never needed more. We "are now arriving," it declared, "to such an extremity that an axe is laid to the root of the trees, and we are in imminent danger of perishing." March 12.

The expedition was projected on a scale proportioned to the magnitude of the object. Its costliness presented a formidable difficulty. The government issued proposals to farm it out by contract, the persons who should furnish the money to have half the net proceeds of the spoils for their remuneration. This plan did not find favor, and the sums immediately necessary were borrowed on the credit of the colony. An embargo was laid to prevent intelligence and to detain supplies. Sir William Phipps's recent achievement caused him to be appointed General, and John Walley of Barnstable was made Lieutenant-General, of the forces to be sent by sea.

June 6.

June 12.

March 22.

The fleet, consisting of thirty-two vessels, the largest mounting forty-four guns, sailed from Nantasket, near Boston, having been detained till too near the autumn, waiting for the supplies which it was hoped would come from England; but there was too much going on just then in Ireland to allow the government to concern itself about America. The stock of ammunition was scanty. The fleet conveyed two thousand men, with provisions for four months. The plan of the campaign contemplated a diversion to be made by an assault on Montreal by a force composed of English from Connecticut and New York, and of Iroquois Indians, at the same time with the attack on Quebec by the fleet. And a second expedition into Maine under

Aug. 9.

Captain Church was to threaten the Eastern tribes.

As is so apt to happen when a plan involves the simultaneous action of distant parties, the condition of success failed. The movement of Church, who had with him but three hundred men, proved ineffective as to any contribution to the main undertaking. In the peril in which he found himself, Frontenac could not afford to send his Abenaqui allies any succor, nor was it to be imagined that the English commander should penetrate across the country to make himself useful on the St. Lawrence. Landing in an inlet of Casco Bay, in what is now the town of Brunswick, Church went forty miles up the Androscoggin, taking two or three Indian forts, killing a few scores of the savages, and liberating a number of their captives. He left a hundred men at Wells, and with the rest of his force returned along the coast, to meet at Boston a cold reception, which he thought cruelly unjust. Certainly he had achieved nothing brilliant. But it may have been in consequence of his inroad, against which the savages found that they got no aid from Quebec, that they sent some of their sagamores to the Kennebec, who agreed with commissioners of Massachusetts on a truce for five months, and a restoration of their prisoners. Only three towns, Wells, York, and Kittery, all in the southwest corner of Maine, now remained to the English in that province.

September.

Nov. 29.

Sept. 25. The fleet from Boston did not arrive in the St. Lawrence till after a voyage of seven weeks, and meanwhile the overland expedition against Montreal had miscarried. The commanders respectively of the Connecticut and the New York troops had disagreed, and could not act effectively together. The troops were bewildered by false reports, which Frontenac contrived to have spread among them, of obstructions in their way. The Indian auxiliaries were, or pretended to be, frightened by rumors of the appearance of small-pox. The supply, both of boats and of provisions, was found to be insufficient. The disastrous result was that a retreat was ordered, without so much as an embarkation of the troops on Lake Champlain. Frontenac was at Montreal, whither he had gone to superintend

Oct. 1. the defence of the place, when this intelligence reached him, and presently after came the tidings of Phipps's fleet being in the St. Lawrence. Nothing could have been more opportune than this coincidence, which gave the governor liberty to hasten down to direct his little force of two hundred soldiers at the capital. The French historian says that, if he had been three days later, or if the English fleet had not been delayed by contrary winds, or had had better pilots in the river, Frontenac would have come down from the upper country only to find the English commander in his citadel. As it was, there ensued a terrible mortification and sorrow

to Massachusetts. New France was made much more formidable than ever. More than sixty years were to pass before Quebec should receive an English garrison.

When Frontenac reached his capital, he learned that the English fleet in the river was already close upon him. Major Prevost, a capable officer in command there, had used diligently the few days since the first alarm, in constructing defences, and making dispositions of the neighboring militia, who were directed not to retreat into the fort till they should have done their best to repulse any landing which might be attempted below. Frontenac had left orders with the commander at Montreal to follow him with all speed with the soldiers who could be spared from that place, and with as many militia as he could collect by the way. The day after the governor's arrival, the English ships were only four leagues from the town, and at dawn of the following day they doubled Point Levi, and came to anchor beneath that magnificent cliff which now bears the name of Cape Diamond. According to the French governor's official account, they "numbered thirty-four sail, four of which were large ships, some others of inferior size, and the remainder small vessels." He supposed them to have brought "no less than three thousand men."

Oct. 4.

Oct. 5.

Oct. 6.

Early the next forenoon a boat showing a white flag put off from the admiral's ship with

a messenger, who, when brought blindfolded to the governor's quarters, delivered a summons expressed in peremptory terms. Phipps wrote that, without regard to the war between the two crowns, "the destruction made by the French and Indians upon the persons and estates of their Majesties' subjects of New England . . . . . might, upon the present opportunity, prompt unto a severe revenge," but that he, acting for "their most excellent Majesties William and Mary, King and Queen of England, Scotland, France, and Ireland, Defenders of the Faith, and by order of their aforesaid Majesties' government of the Massachusetts Colony in New England," desired to avoid unnecessary carnage in obtaining the unconditional surrender of the garrison with its stores and "the persons and estates" of the colonists. This surrender made, he added, "You may expect mercy from me as a Christian, according to what shall be found for their Majesties' service and their subjects' security. Which if you refuse forthwith to do, I am come provided, and am resolved, by the help of God in whom I trust, by force of arms to revenge all wrongs and injuries offered, and bring you under subjection to the crown of England, and, when too late, make you wish you had accepted of the favors tendered." And "upon the peril that would ensue," a positive answer was demanded within an hour. The messenger showed his watch, which indicated ten o'clock, and said he could not wait after eleven.

Frontenac replied that he would not trouble him to stay so long. "Tell your general," said he, "that I do not acknowledge your King William, and that the Prince of Orange is a usurper who has violated the most sacred rights of blood in wishing to dethrone his father-in-law. . . . . Though your general had offered me better terms, and I was disposed to accept them, how could he suppose that so many brave men as there are here [the governor stood surrounded by his officers] would advise me to place confidence in the word of a man who has violated the capitulation he had entered into with the governor of Port Royal; a rebel who has failed in the fidelity he owed to his lawful king, forgetful of all the favors conferred upon him?" The messenger asked for a written answer. "No," said the spirited governor, "I have no answer to give your general, but from the mouths of my cannon and musketry, that he may know that a man of my rank is not to be summoned after this fashion."

During the rest of this day the invaders were inactive. On the evening of the next day, the officer left in command at Montreal came into Quebec with the welcome reinforcement of eight hundred men. The English prepared to go on shore, but a high wind obstructed the movement, and one of their vessels, carrying sixty men, ran aground, and was with difficulty floated off. The day following, Phipps landed a Oct. 7.

large number of men (supposed by the governor to be no fewer than two thousand, but said by the English to be only fourteen hundred) on the left bank of the river, two miles below the town, and the fleet cannonaded the fort, but to little purpose, on account of its great height above the water. A second cannonading was so well returned from the work as greatly to encourage the assailed party, two of the four largest ships appearing to have suffered severely, while the other two changed their moorings to a place a league above the town. Then an attempt was made at an assault by land, but it was intercepted and discomfited by a party which had been placed in an ambuscade; and a second trial had the same ill-success. The night after this second failure the English went on board their vessels, abandoning five pieces of cannon in their retreat; and the fleet dropped two leagues down the river.

Oct. 9.

Oct. 10.

Oct. 11.

The small-pox had appeared among the crews. The cold had set in with a severity unusual for the early autumn, and "several of the men were so frozen in their hands and feet as to be disabled from service." It was believed that the expedition to Montreal, on which so much reliance had been placed, had miscarried and been abandoned; and a deserter reported that Frontenac had reinforced the garrison "with no fewer than thirty hundred men,"— nearly twice as great a force as that of the assailants. The weather was getting

constantly worse; the ships, with unskilful pilots, were in a perilous situation, among storms of snow that fell day by day. A council of war determined that, in such circumstances, to persist in the enterprise would be a tempting of Providence. An arrangement was made to give up some prisoners taken during the week in exchange for English captives, who had been brought into Quebec by the Indians. Tempestuous weather damaged the fleet on the voyage home. One vessel was wrecked in the river; two or three foundered at sea; some others were blown off to the West Indies. The number of men who perished in the expedition, by disease and casualties, was reported to be two hundred, though only thirty fell by the hands of the enemy before Quebec. The money sacrificed was reckoned at fifty thousand pounds.

Phipps came back to Massachusetts mortified and distressed. There had been trouble enough there before his departure. This dismal discomfiture brought it almost beyond the point of possible endurance. The money for the outfit of the expedition had been mostly borrowed, in the imprudent expectation of a reimbursement from the enemy's spoils. The colonial treasurer had no funds. The returning soldiers needed their pay, and were almost in a state of mutiny. A heavy tax was assessed, but time would be necessary to collect it, and a delay of payments was out of the question. The govern-

Nov. 19.

ment had recourse to an expedient which proved fruitful of mischief to the colony through two generations. They issued a paper currency, called *bills of credit*, in denominations from two shillings to ten pounds. These bills were receivable in payment of all sums due to the treasury. They fell at once, so that the soldier who received them for their nominal value had to part with them at a discount of one third. At the time when the outcry was loudest, Phipps showed his generosity, and at the same time did something to avert the odium which naturally fell upon him, by exchanging a considerable amount of hard money for those securities. It may be guessed that he was not a little relieved when it was presently decided that he should go to England on business for the colony. The ostensible object was to obtain aid towards the renewal of the enterprise against Quebec. But it was also believed that he might be useful at court in soliciting the restoration of the ancient charter.

It was fully time that something was done towards restoring a legitimate and acknowledged government. The people were in that state of distress and alarm in which a questionable authority does not suffice. An exulting and ferocious enemy was mustered all along their border. Mourning was already in many of their houses. They had spent more than all their money, and they had paid it for a miserable defeat. The war between France and England

interfered with their supplies from the latter country, and the Navigation Laws forbade them to seek supplies elsewhere. While the vessels which they had been at so much cost to arm for the disastrous foreign expedition were prevented by the winter weather from returning for their protection, their property, afloat along all the coast, was the prey of a swarm of French privateers, which had been so bold as even to land marauders on the northern shore of Long Island Sound. Heavy taxes were to be paid, and the paper substitute for money which was to pay them was driving out of the country what little remained of the coin which intelligibly expressed the worth of property and furnished a safe basis for the transactions of business between man and man.

By the same conveyance which brought authority from England for a provisional re- 1689. institution of the government had come an Nov. 24. order to him to send Andros and his fellow-prisoners to England. Danforth and four others were directed to draw up complaints Dec. 7. against them in order to an arraignment before the Privy Council.

CHAPTER III.

PROVINCIAL CHARTER OF MASSACHUSETTS.

On his return to England, where, almost two years before, he had left Increase Mather making interest at court for the renewal of the old charter,

1691. February. Phipps found small encouragement to hope that that object would prove attainable.

This was not the fault of Mather, who had been unwearied in his exertions. At first the new King seemed to make fair professions; but they were in general terms; and the ministers, in their hurry of business, had little thought to spare

1689. Feb. 2. for New England. The convention, which presently declared itself a parliament, was advised by Sir Robert Sawyer, the Attorney-General, that "cities, universities, and the plantations" ought to "be secured against *quo warrantos* and surrenders, and their ancient rights restored." But the principle did not obtain a place in the Claim of Right, presented to the candidate for the throne. In an order issued by

Feb. 19. the new Privy Council for proclaiming the King and Queen in the plantations, "New England was passed over, the further consideration thereof being respited until the busi-

ness of taking away the charter there shall be heard by the committee, and the true state thereof reported to his Majesty." The Committee (for Trade and Plantations), then Feb. 14. just appointed from the Privy Council, consulted the Attorney-General, who reported to them that there was no law to prevent the placing of a governor over Massachusetts forthwith; and they matured a measure to that effect. Feb. 22. This, however, as well as the earlier scheme for reinstating Andros, Mather succeeded by the royal favor in defeating. The King in Council, having considered a petition pre- Feb. 26. sented by him and Phipps, ordered that the committee should prepare a new charter, and that, instead of a successor to Andros as governor, two commissioners should be empowered "to take upon them the administration of the government there, with directions immediately to proclaim the King and Queen."

The directions were sent, but not the commissioners. The scheme of a general governor, with the extensive jurisdiction which had been given to Andros, was still entertained. Lord Shrewsbury, Secretary of State, was instructed by the Council, "upon inquiry from those who have the most considerable interest April 18. in New England, New York, and the Jerseys, to present to the King the names of such as may be thought fit at this time to be governor and lieutenant-governor of those parts,"—an arrangement

May 2. which the Council judged conducive to the efficiency of the colonies in the war now on foot with France. But they entertained a

May 9. doubt of "his Majesty's right to appoint a general governor for those parts," which they reserved for future examination.

The important intelligence of the Revolution in New England awakened at court a new interest in the affairs of that country. John Riggs, An-

July 22. dros's servant, appeared before the Privy Council with his and his master's account of what had taken place, and a copy of the "Declaration" of the insurgents; and Randolph's wife and others presented petitions for the deliverance of their friends who were in

May 29. durance at Boston. Randolph had written a long letter in his own elaborate and venomous manner. Captain George, of the Rose

June 12. frigate, made his complaint to Pepys, Sec-

July 15. retary of the Admiralty. The Commissioners of the Customs asked for an order prohibiting the exportation of powder to Boston, "not knowing in what condition the government of New England at present stands." But the prompt measures which had been taken by the provisional government in Massachusetts prevented any hasty acts of resentment in England. The addresses to the King and Queen from the

May 20. "President and Council for safety of the people and conservation of the peace," and from the "Governor and Council, and Convention

of Representatives," had come over as early as the complaints of the other party, and they had had such good effect, that, as has already been told, the King in Council authorized Bradstreet and his associates to continue to administer the government till further orders. Riggs was sent back with an instruction to "such as for the time being take care for the preserving the peace and administering the laws in Massachusetts," to "set at liberty or send in safe custody into England" the late governor and his fellow-prisoners, — taking care in the latter case that they should be civilly used in their passage. Before this order arrived, Andros had made a second, and this time a successful, attempt to escape from his imprisonment. He got as far as Rhode Island, where he may have imagined that he would be safe; but he was arrested there, and was brought back under the guard of a troop of horse despatched after him from Boston.

June 6.

Aug. 10.

July 25.

Aug. 2.

The war was now hot both in Scotland and in Ireland; matters of the first consequence relating to the settlement of the internal administration were pending in England, and the government had again no leisure to attend to Massachusetts. In better heart, as the prospect that his position would be recognized seemed to brighten, Bradstreet wrote to Lord Shrewsbury describing the useful operation of the charter government while it was in force, the difficulties

Oct. 26.

Oct. 30.

which it had encountered from the discontent
July 13. and misconduct of new-comers, and the
Aug. 3. present danger from French hostility; and
Oct. 24. his representations of the exposed state of the country were seconded by various memorials of private parties.

Weary of the delays which had occurred, Mather was led to consider whether he might not have a better chance with the legislature than with the King and his ministers; and by the advice of English friends of the colony, he determined to pursue his object by first soliciting a reversal by Parliament of the decree in Chancery against the old charter. That obtained, he proposed to proceed by applying to the King for the grant of some new privileges, to cure the defects of that instrument in respect to its applicability to the existing state of things. At one moment the former point seemed gained. As has been before related, the House of Commons passed, first, a resolve declaring the abrogation of charters in the late reign both within the realm and in New England to be "illegal and a grievance,"
1690. and then a bill for restoring them. The
Jan. 10. bill went up to the House of Lords, where there was equally good reason to expect that it would be carried. But before there was
Jan. 27. time for that house to act upon it, Parliament was prorogued; and presently after, it was dissolved.

An opportunity was lost which could not pre-

sent itself a second time. Mather's endeavors had been obstructed by an opposition which, so far from having yet spent its force, was constantly growing more formidable. In letters from their prison in New England, Randolph and his allies had been plying their English friends with earnest dissuasives from according any favor to the colonists; and other letters to the like effect came from persons less liable to the suspicion of being goaded by personal resentment. Randolph wrote: "This people having dared to proceed to this height upon hope only of receiving their charter privileges (as they term them), what can we expect upon the arrival of their agents laden with such favors, but that they proceed to try us upon their laws, or, if it be his Majesty's pleasure to direct other methods for governing this country, the guilt of their crimes already done, and the fear of deserved punishment, is such that they will massacre us, and at the same time cast off their allegiance to the crown, accounting themselves his Majesty's nominal and not real subjects, as one of their chief ministers lately declared in public." He hoped that the King had already "sent hither a sufficient force to quiet the present disorders, and reduce this country to a firm dependence upon the crown. Here," he wrote, "is no government, no law; customs, excise, and the Acts of Trade and Navigation are cried down. All things are carried on by a furious rabble, animated and encouraged by

1689. July 23.

the crafty ministers." He contrasted the
Sept. 5. inefficiency of the late operations against the Indians with those which had been conducted by Andros, to show "the desolation brought upon the country by the tumultuous designs of an anti-monarchial faction"; and he "humbly proposed it absolutely necessary for the honor and interest of the crown, and for the lasting well-being of New England, that fifteen hundred, or at least a thousand, good soldiers be speedily sent hither to reduce this people to a firm dependence upon the crown, and to regain what is already lost."

Randolph played on a variety of stops.
Oct. 15. To the Lords of Trade he wrote that the Massachusetts people paid "no regard to the Acts of Trade," and "held fast the anti-monarchial principles spread among them by Sir Henry Vane, Hugh Peters, etc.; and Venner, who made the insurrection in London soon after the restoration, had his education here also." He
irritated the ecclesiastical sensibility of the
Oct. 25. Bishop of London, who was a member of that board, by informing him that "Mather's book against the Common Prayer" had "persuaded the people that we were idolaters, and therefore not fit to be intrusted longer with the government"; and that the ministers had en-
couraged the widow of an officer in her
Oct. 26. refusal "to let him be buried in the burying-place of the Church of England, though wished in his will, and the grave ready." He

bespoke the vengeance of the Commissioners of Customs by acquainting them with the arrival in Boston of cargoes excluded by the Acts of Trade. As the time drew near for his embarking for England agreeably to the royal instruction, he urged that no decision on the old charter should be made before his arrival, and that in the mean time its inconsistency with past practices under it should be considered. Mr. Ratcliffe, too, had come over, the angry minister of the Episcopal chapel in Boston. The King's "most loyal and dutiful subjects of the Church of England in Boston" represented their grievances and apprehensions in acrimonious language. John Usher, Andros's treasurer, a plausible opponent, was himself in England, in no good temper, within six months after his dismissal from that office.

Dec. 12. 1690. Jan. 10. February. 1689 September.

While the political complexion of the new Parliament was so different from that which it succeeded as to discourage the bringing of the business of New England to its notice in the same form as it had been presented in before, the royal command respecting Andros, Randolph, and their friends had taken effect, and they had arrived in England, prepared to exert themselves to the disadvantage of the colony. About the same time came Oakes and Cooke, deputed by the General Court to be associates of Mather in his agency. The

1690. March 20 - May 23. March.

agents on the one part, with Sir Henry Ashurst, who had before been acting with Mather under an appointment from Massachusetts, and on the other part Andros, Dudley, Randolph, West, Graham, Palmer, Sherlock, and others, being summoned before the Lords of the Committee, the agents asked for time to prepare their charges against King James's officers. A week being allowed them for that purpose, the singular result followed that the agents declined to sign a statement of the grievances of their constituents, which had been prepared by Humphreys, their legal counsel. The Lords accordingly "agreed to offer their opinion to his Majesty that Sir Edmund Andros and the persons lately imprisoned in New England, and now attending his Majesty, be forthwith discharged and set at liberty; and that the paper or charge which had not been signed or owned might be dismissed." The Privy Council passed an order to that effect, and the culprits were accordingly set free. Their liberty was not all that they recovered. Before the end of the year, Dudley sailed for Boston with a commission as counsellor of New York; and Andros, though not until after longer waiting, was made governor of Virginia.

April 10.

April 17.

April 24.

December.

1692. Feb. 11.

As to the abandonment of the complaints, the truth was that Somers, with whom the agents advised, thought it unsafe for them to pursue the investigation in the existing state of the home

government. Of the same nature with the charges against Andros were charges which could be brought against Lord Danby and others now at the height of power, but of a power felt by themselves to be insecure. It was of the first importance to avoid the opposition of these great men; but their good-will would be forfeited by persistence in a prosecution which would turn the public attention, now peculiarly sensitive, upon themselves.

The occupation of all minds during the summer with the momentous campaign in Ireland allowed the agents no good opportunity for a hearing, even if the influences of the new Parliament had been less unpropitious. It is likely, also, that they were willing to await the issue of the expedition against New France, which they hoped would be such as to recommend them to the royal favor. Their suit would be greatly facilitated if they should prove able to back it with intelligence of the conquest of Quebec by their constituents. Nor in that case might it prove necessary for them to stop with urging that Massachusetts desired the restitution of her old charter. They might perhaps further represent with confidence that it would be for the King's interest to add the conquered New France to her domain.

Meanwhile their opponents were not idle. The discharged prisoners had brought with them and now presented an "Address of divers gentlemen, merchants and other inhabitants 1689. April 24.

of Boston and the adjacent parts, to the King, signed by seventeen persons, to appoint a governor and council to prevent further ruin and losses." "An ingenious merchant of Boston" wrote that "a great many good ingenuous
May 16. men there, with some of the rising generation, were clearly for a general governor and to live under the laws of England"; and that "if they should have their charter, all the superstitious party, as they reckon the Church-of-England men, must move to New York" and elsewhere. Andros told his own story, largely
1690. and artfully, in an elaborate memorial presented to the Lords of Trade. Randolph renewed
June 12, his complaints against the irregularities
June 19. of trade in New England. Carefully prepared memoirs on both sides were presented, the authorship of many of which is now unknown. One pamphlet exhibited an "Abstract of the printed laws of New England which are either contrary or not agreeable to the laws of England, which laws will immediately come in force in case the bill in Parliament for the restoring the charters of the plantations doth pass." Another undertook to show that the charters were "seized for the abuse of their power in destroying, not only the woollen and other manufactures, but also the very laws and navigation of England, and making themselves, as it were, independent of this crown."

The business of the agents made no progress

in the direction last followed. They turned their attention next to devising some method for bringing it, by a writ of error, before the Court of King's Bench, where Holt was presiding, with a view to a revision of the Chancery decree; but this was found impracticable. "There was now but one way left," Mather concluded, "for the settlement of New England, etc., — to implore the King's royal favor. It was not in the King's power to reverse the judgment against the old charter; nevertheless, his Majesty had power to reincorporate his subjects, thereby granting them a charter which should contain all the old, with new and more ample privileges." When the King came back from the battle of the Boyne and his decisive campaign in Ireland, the Parliament was about to begin its second session. As soon as its approaching prorogation released something of his attention, the agents proceeded with the method now determined on.

Sept. 6.

Oct. 2.

The King had his fixed notions on the principles of government, and they were far from being liberal. Probably the special subject of colonial administration was new to him. His Dutch compatriots had pursued the method of managing their colonies by incorporated companies, which had scarcely any subordination to the States-General beyond a liability to inspection. And as to desert, it is not likely that his partial or indifferent eye would distinguish unfavorably be-

tween the rough dealers in gin and peltry at the mouth of the Hudson, and the representative of cultivated English thought and manners on the coast of Massachusetts Bay. The agents, in their ignorance of the temper and habits of their monarch, hoped not a little from the influence of his religious Queen.

Their petition for a new charter with additional provisions was referred to the law officers of the crown, who, through the chief justice, reported favorably upon it, though in general terms, and in this new form the subject was again placed by the Privy Council in the hands of the Lords of Trade. It was about this time that Phipps arrived from Massachusetts. The King had immediately gone off to Holland to confer with commissioners of his allies on the management of the war with France. With the interval of only a couple of weeks, he remained on the continent till the autumn; and the agents could not reach him with personal solicitations. Mather, however, lost no opportunity for advancing his business. Just before the King came to England for his short visit in the spring, Mather obtained an audience of the Queen, in which he entreated her Majesty's good offices for her subjects in Massachusetts, and she replied, "I shall be willing to do all I can for them." The King admitted him to two audiences, saying at the latter of them that he would see what might be done

1691. Jan. 1.

Oct. 19.

April 9.

April 28.

when he should receive a report he was expecting from the Lords of Trade. The Lords had called upon the Massachusetts agents for an account in writing of the existing state of that colony, and the Council had had before them Sir William Phipps and other persons "concerned in New England" to give "a relation of the late proceedings and expedition of the people of New England against Canada under his command." The Lords reported that before proceeding further it was necessary for them to know whether it was the King's "pleasure to have a governor or single representative, of his own appointment from time to time, to give his consent to all laws and acts of government." The King being understood to declare that such was his pleasure, it was "ordered that the Lords of Trade forthwith prepare the draft of a new charter upon that foundation." On their advice the duty of framing the charter was committed to the Attorney-General, Sir George Treby.

April 9.

April 27.

May 14.

Mather insisted that the King had been misunderstood as to a determination to have a governor in Massachusetts of his own appointment. He obtained the concurrence of some members of the Privy Council in this view, and wrote to Lord Sidney, who, having succeeded Lord Shrewsbury as Secretary of State, was in attendance on the King in Flanders, to urge it upon the royal attention. But he obtained no answer. King William was no more disposed

1690. Dec. 26.

than King James to relax the dependence of Massachusetts on the crown. The Attorney-General's draft of a charter was silent as to a power of the governor to arrest a law by his negative, and it empowered the freemen "to choose the deputy-governor and the other general officers." This did not please the Privy Council, and the Attorney-General was instructed to make another draft with provisions more favorable to the prerogative in these particulars. Mather and Ashurst waited upon him to protest, and the former went so far as to declare "that he would sooner part with his life than consent to the minutes, or anything else that did infringe any liberty or privilege of right belonging to his country." On reflection he thought he had "expressed his dissatisfaction, perhaps, with a greater pathos than he should have done." His language gave offence, and he was told on the part of the ministers that his "consent was not expected nor desired; for they did not think the agents from New England were plenipotentiaries from another sovereign state, but that, if they declared they would not submit to the King's pleasure, his Majesty was resolved to settle the country, and they must take what would follow."

June 8.

There was no doubt that they were dealing with a person apt to be as good as his word, when his word was of this tenor. The Attorney-General presented his amended draft. The Lords applied themselves diligently

July 2.

to the consideration of it, and in a fortnight's time came to a final decision respecting the main features, as they are presently to be described, of the instrument to be recommended to the King. On a conference with the Attorney-General, the agents reduced their objections to two. They urged that judicial as well as other officers should be appointed by the General Assembly, and not by the governor in Council, and that the choice of counsellors ought to be made as formerly by the two branches of the Court, without being subject to a revisal by the governor. The agents drew up a statement of their views, which they submitted in one copy to the Privy Council, while another was sent to the King in the Netherlands, with a request, which was also urged upon the Queen, that proceedings might be stayed till his return to England. The Queen was understood to engage her influence with him in favor of their application. But the answer from the other side of the channel was "not only that the King did approve of the minutes agreed unto by the Lords of the Committee, but that he did by no means approve of the objections which the agents of New England had made against them."

July 2–July 17. July 30. July 29. Aug. 20.

Nothing seemed further to be practicable in respect to the great point of saving for Massachusetts something like its former degree of independence of the parent state. "Resolved," how-

ever, "to get as much good and prevent as much hurt to the country as possibly might be," the agents presented a petition to the effect, "that no property belonging to that colony, or to any therein, might by the new charter be taken from them, nor any privileges which they had a right unto; that the province of Maine might be confirmed; Nova Scotia added to the Massachusetts"; and that New Hampshire, which, at the request of its own people, had been annexed to Massachusetts in the first year after the Revolution, might be placed by the royal authority under that government. Mather was also authorized by Plymouth to represent that, failing to obtain a separate charter, that colony desired to "be united to Boston rather than to New York." He prevailed in obtaining two amendments to the instrument which had been prepared. "That phrase of corporal oath was altered, that so no snare may be laid before such as scruple swearing on the book"; and a clause was added, confirming past grants made by the General Court, "notwithstanding any defect that might attend the form of conveyance, that so men's titles to their lands might not be invalidated, only for that the laws which gave them their right had not passed under the public seal in the time of the former government." These arrangements finished the transaction. The Privy Council directed Lord Nottingham, as Secretary, to "prepare a warrant for his Majesty's

Aug. 27.

1690. March 19.

1691. Sept. 17.

royal signature, for passing said charter under the great seal of England in the usual manner."

The charter created a province called *Massachusetts Bay*, comprehending the old colonies of Massachusetts and Plymouth, and the territories of Maine and Nova Scotia, with all lands lying between the two last-named jurisdictions. Thus, except for the little interruption at the mouth of the Piscataqua, the coast line of Massachusetts, as now constituted, extended from Martha's Vineyard and Nantucket at the south to the mouth of the St. Lawrence at the north, while, with the exception of a narrow strip along the Hudson, recognized as belonging to New York, her territory reached westward to the Pacific Ocean. The charter provided that there should be a governor, lieutenant-governor, and secretary, to be appointed from time to time by the King. There was to be a Legislature or General Court in two branches; namely, a House of Representatives chosen as heretofore annually by the towns, and a Council, consisting of twenty-eight members, to be selected in the first instance by the King, and afterwards, from year to year, on the last Wednesday in May, by the General Court, subject to the governor's refusal. Eighteen, at least, of the counsellors were to be inhabitants or landholders in Massachusetts proper, four in what had been Plymouth Colony, three in Maine, and one in the country between the Kennebec and Nova Scotia; and seven were to

be a quorum. It was required of the representatives to be freeholders, and each town for the present was to have two representatives and no more; but this arrangement was made subject to be changed by law.

Bills passed by the Council and representatives might be rejected by the governor. Laws approved by him went at once into effect, but were to be forthwith reported to the King, who might annul them at any time within three years from their enactment. The governor was to be commander-in-chief of the militia, and to appoint military officers. He was also, with the consent of the Council, to appoint judges and all other officers connected with the courts. The General Court was to constitute judicial courts (except Courts of Admiralty, which were reserved for the jurisdiction of the crown, and except Probate Courts, which were to be constituted by the governor in Council); to appoint, with the governor's concurrence, all officers, besides such as were military or judicial; and to levy taxes on all proprietors and inhabitants. A General Court was to come together on the last Wednesday in May of every year, and at other times when summoned by the governor, who might also adjourn, prorogue, or dissolve it. A great step was, that the religious element was eliminated from the government; the qualification of a voter was no longer to be membership of a church, but the possession of a freehold worth two pounds ster-

ling a year, or of personal property to the amount of forty pounds sterling. Liberty of conscience and of worship was secured to all Protestants; and it was provided that, in litigated civil cases not affecting real estate, appeals might be made from the courts to the King in Council when the amount in controversy exceeded three hundred pounds. Natives and inhabitants of the province were to enjoy "all liberties and immunities of free and natural subjects . . . . . as if they were born within the realm of England." Trees of two feet in diameter at a foot's distance from the ground, growing on common land, were to belong to the King, for the use of the royal navy.

The conferring of the franchise upon freeholders by the new charter, and the power given to the King to repeal the laws, — for this was the sense of his right to revise them, — to entertain appeals from the courts of justice, and to appoint a governor with prerogatives liable to pernicious abuse, — some of these provisions were enough to make the instrument unpalatable to Mather and to the best men of that constituency for which he was acting. The powers were dangerous in the best of circumstances. In any hands they were susceptible of being used in ways to humble and distress the province. Neither the character of the reigning sovereign, — though as yet that was little known, — nor the influences which surrounded him, afforded assurance that even by him they would be leniently used. But what might they

become — though this was a consideration which the agents could not urge — if the insecure throne of the Dutch invader should be overturned, and his father-in-law should again be able to wreak his anger on the Puritan colony which had so affronted him? He who could so act without law as King James had done in the usurped government of Andros, how would he act when on his side he should have law which the most upright judges of England must respect and enforce?

On the other hand, there were features of the constitution of the Legislature, of a favorable aspect to popular rights. The first branch was to be nominated by electors, of which the second branch, consisting of representatives of the towns, constituted the major part, though the nomination did not constitute a choice without the governor's approval. Further, by the provincial charter the power of the purse was formally given to the General Court. The Court, and not the governor, might impose and levy taxes, and moneys could not be drawn by the governor from the treasury, except by a warrant issued with the advice and consent of the Council. By the charter the governor could have no money from Massachusetts except what the people of Massachusetts might see fit to grant him. Here, in the last resort, was the security for what remained of the degree of independence which had been once possessed. Herein consisted the guaranty for

some degree of self-government. Future circumstances might be such as to require in Massachusetts a repetition of the experiment, made in England a half-century before, to determine whether executive usurpation could be checked by the tax-laying power.

Of the new arrangement touching the extent of her territory, Massachusetts had no reason to complain. If she had failed of retaining New Hampshire, she had received the government of the more congenial people of Plymouth; 1691. her title to Maine, fruitlessly opposed July 9. again by the heir of Gorges while the charter was in dispute, was quieted by it; and the whole extensive territory of Nova Scotia, and of what is now New Brunswick, was a new acquisition, however questionable its value might be when estimated in relation to the cost of its defence, and to the fact that, by virtue of the treaty of Breda, it was still a property of the King of France.

The agents well knew what disapprobation awaited them at home for whatever share they had had in bringing their constituents into this new condition of formal and definite subjection to England. Cooke and Oakes could not bring themselves to express any assent to the transaction. With sincere, and not, as many thought, simulated reluctance, Mather made up his mind to accept the arrangement as the best that it was possible to obtain. Nor was it by any means

without its advantages as compared with a mere recovery of the old charter unaltered. It expressly made some things lawful which had hitherto been assumed by more or less violent construction, as the right to tax non-freemen, to conduct the public business by representatives, to inflict capital punishment, to create courts of justice, and to prove wills. But independently of substantial reasons for apprehending that under some future sovereign of England, if not in the present reign, the new charter might be made an instrument of practical misrule, it was a heavy blow to the pride of patriots who had scarcely ceased to cherish the vision of ultimate independence.

But what could be done? Mather was assured with united voice by the lawyers with whom he advised, that the annulling of the charter which had taken place was unquestionably valid in law, hasty and unjust as the proceedings had been; that it was impossible at present to obtain a legal reversal of it; and that an attempt to do so, if encouraged by any future circumstances, would not be prejudiced by his accepting the present settlement, inasmuch as neither could his assent bind the colony, nor could the present submission of the colony bar a future demand for its rights. Direct resistance was out of the question. There was not even an approach to unanimity in the colony. Even among native citizens there was not a preponderance of agreement

as to any one right policy for the time. Besides native citizens, there were now in Massachusetts numbers of people of English birth — and they important and active, Church and King men — who cared nothing for her interest or her pride. She was helpless through her poverty. Her public treasury was empty. Many of her rich inhabitants were probably merchants recently come over, who sympathized with prerogative. She stood alone, without an ally in New England. Rhode Island, besides having little power, and having never had a generous policy, had strong motives for compliance with the English court. She was contented with her charter; she was not immediately threatened with the loss of it; and in order to keep it, it seemed her interest to stand well with the King's servants. The position of Connecticut in respect to her charter was the same. The feeble colony of Plymouth, which had never had a charter, was soliciting one from the King's indulgence. Massachusetts had no help to hope for from friends in England. The experiment had shown it. Danby and the Tories ruled in Parliament; and, as to the liberal religious party, it had, even with the King for its well-wisher, been miserably defeated in the Convocation, and had as much as it could do to secure its own immunity.

Before the final action of the Privy Council, Mather must have made up his mind as to the course necessary to be taken; for, a fortnight be-

Sept. 3. fore the order for the charter to pass the seals, Sir Henry Ashurst had applied to him for a nomination of the persons to be appointed to office by the King, — a singular trust, which appears to have been committed by the Ministry to him alone. His nominations were adopted, the new government being in that respect constituted in exact conformity with his wish. He was probably understood by the courtiers to be the most considerable man in Massachusetts, and the most important to be gratified. Phipps was made governor,

Dec. 31. and sworn into office by the Privy Council; a man whom, alike by reason of the close intimacy between them, and of his moderate abilities and superficial character, Mather might well promise himself that he should have little difficulty in managing. Stoughton was selected for the place of lieutenant-governor. After all his misdeeds, he remained a favorite with the clergy, to whose order he had formerly, in a certain sense, belonged; and he had regained some credit with the people by taking part with them, in his own reserved and churlish way, in the rising against Andros. Isaac Addington, who in the last two elections under the old charter had first been made Speaker of the House and then an Assistant, was appointed Secretary, in which capacity he had served the provisional government since the Revolution. Bradstreet's name stood first in the new list of Assistants. Such as

in the old board had been strenuous friends of the old charter — Danforth, though lately deputy-governor, and Elisha Cooke and Thomas Oakes, though lately associated with Mather in the agency — were not included. When the King came back to England, Mather obtained an audience, at which "on the behalf of New England he most humbly thanked his Majesty" for having "been pleased by a charter to restore English liberties unto them; to confirm them in their properties; and to grant them some singular privileges." Nov. 4.

In Plymouth, after the resumption of its ancient government, Thomas Hinckley was chosen to be governor each year till the end of the separate existence of that colony. An address of congratulation was promptly sent to the King and Queen. 1689. June 6. Plymouth responded with spirit to an application from Massachusetts to take a part in the operations against the Indians in the summer after the Revolution, appointing Captain Church to the command of its volunteers and impressed men. Aug. 14. Concurring with the plan of the Congress at Albany, Plymouth raised sixty men "to be sent by water to Albany or elsewhere, to join with the forces of New York, Massachusetts, or Connecticut, etc., for the defence of said places or other service of their Majesties against the common enemy." 1690. May 20. On further information from Massachusetts respecting the proposed ex- June 5.

pedition against Canada, another levy was made of a hundred and fifty English soldiers and fifty Indians, for whose outfit and pay Plymouth, with better judgment than was shown by Massachusetts on the same occasion, provided by a tax amounting, according to the valuation of the time, to one thirteenth part of the whole property of her citizens. Being informed from England that the design of annexing their colony to New York had been defeated by Mather, and that the plan for attaching it to Massachusetts had been for the present postponed in consequence of the remonstrances of their agent, Mr. Wiswall, the General Court voted to call meetings of the towns for deliberation on the subject, "that it be known whether it be their minds we should sit still and fall into the hands of those that can catch us, without using means to procure that which may be for our good, or prevent that which may be our inconvenience; or if they will act, then to know what instruments they would improve, and what money they can raise; and must also know that if a patent can be procured, it will not take up less than five hundred pounds sterling, which will take nearly seven hundred pounds of our money."

Nov. 4.

Dec. 1.

June 24.

"Though the colony labored under many inconveniences, being small in number, low in estate, and great public charges," it preferred still greater straits to a loss of its independence. A hundred pounds sterling were "sent

1691. March 3.

unto Sir Henry Ashurst, towards the charge of procuring a charter," besides gratuities to himself of fifty pounds, and of twenty-five pounds each to Mather and Wiswall. But it was too late for any effective influence in that direction. Wiswall naturally thought that, in comparison with himself and his meritorious colony, Massachusetts and her agents were treated with undue consideration. "You know," he wrote home, "who it is that is made to trot after the *Bay* horse."

The province of Massachusetts Bay, as now constituted, may have contained sixty thousand inhabitants. These were distributed in seventy-five towns, seventeen of which belonged to Plymouth; and the number of congregational churches was nearly the same, almost all the churches having one minister, and some being served by two. Boston had not far from seven thousand inhabitants, being much the most considerable place on the continent. Other principal commercial and fishing towns were Salem, Charlestown, Ipswich, Newbury, and Plymouth.

Phipps, while in England, had not been forgetful of the business with which he was charged, relating to a renewal of the expedition against New France. In the King's absence he presented a memorial to the Queen, setting forth that, in order to secure his conquest of Nova Scotia, it was indispensable to "send over a frigate, and a quantity of warlike ammunition," June 30.

and that "the inhabitants of New England had their hearts filled with thankfulness and zeal for his Majesty's service by reason of the preparation and passing of a charter, and would set out the frigate at their own expense with a number of war and other ships, not only to preserve Nova Scotia, but also to reduce Quebec and the other parts of Canada." He prayed to be placed in command of an expedition for these purposes, and he presented the "names of harbors and races in the eastern part of New England and in Nova Scotia fit for settlement in townships, every town consisting of at least thirty thousand acres of land." But he does not appear to have obtained much attention to this scheme, and not improbably his own interest in it may have abated when other interests were awakened in his mind by his recent high promotion.

Nov. 10.

He still lingered with Mather in England. Perhaps they did not incline to disturb the existing government of the colony before the time when in due course it would be dissolved by the expiration of the political year. Besides, Mather liked to lengthen out his stay in a society from which he received much flattering attention, and he may well be supposed to have shrunk from the cold reception which he too well knew awaited him at his home.

1692. May 14. At length, the governor, with his colleague in the agency, arrived in Boston. The easy transfer of the chief magistracy to him

had been provided for. Bradstreet, at his last inauguration, only a few days before, had taken "the oath of his place or office for this year, or until there be a settlement of government from the crown of England." At the town-house, whither the new governor was conducted with imposing civil and military parade, the new charter was first read in the presence of the General Court, and then the governor's commission. The oaths of office were administered first to him, and then by him to the counsellors, and writs were issued for an election of deputies to come together in the following month. Before adjourning, the Court appointed "a day of solemn thanksgiving to Almighty God for granting a safe arrival to his Excellency our Governor, and the Reverend Mr. Increase Mather, who have industriously endeavored the service of this people, and have brought over with them a settlement of government in which their Majesties have graciously given us distinguishing marks of their royal favor and goodness." With such courteous words were the chagrins of the time covered over. One thing was certain; that, in a sense different from that of earlier times, Massachusetts was now a dependency of the British crown.

May 4.

May 24.

CHAPTER IV.

CLOSE OF BRADSTREET'S ADMINISTRATION. — THE WITCHCRAFT TRAGEDY.

The aged and feeble Bradstreet must have been quite as well pleased to retire from the government of the province as his enterprising successor was to assume it. The management of the war had been too much for his failing strength. The administration of the last three years had been honest and careful, and in the circumstances the degree of good order which was maintained was highly creditable to the people. But it was impossible that a government which from the beginning had been declared by itself to be only temporary should be capable of a vigorous rule, and respect for it had been weakened during the unexpectedly long agitation of the question of a permanent settlement.

The war languished for a time after the defeat of the invasion of Canada. The strenuous governor of that country would have followed up his advantage by a movement against New York, and he applied to his court for reinforcements for that purpose; but he was told that the King had now employment nearer home for all his forces,

and for the present it was necessary that his views for New France should be confined to precautions for defence. While the exhausted condition of Massachusetts forbade a renewal of offensive operations on her part, the French governor's chief immediate solicitude was for the conduct of the Iroquois Indians; and the year after the repulsed invasion was mostly passed by him in a succession of unsatisfactory negotiations and indecisive hostilities with that crafty, capricious, and formidable confederacy, though New England was at the same time annoyed with a desultory maritime war.

Though the result of Colonel Church's expedition into Maine had disappointed expectation, it appeared to have been not without a salu- 1690. October. tary effect in alarming the Indians in that quarter, for it was scarcely over, when some of their chiefs appeared at the town of Wells, with proposals for a pacification. A treaty was Nov. 29. accordingly made between three commissioners from Boston, and six representatives of the Abenaqui tribes. The Indians restored ten English captives, and agreed to deliver up their remaining prisoners at Wells, and contract for a permanent peace, at the end of five months, and meanwhile to abstain from hostilities and to give notice of any which they might know to be meditated by the French. On the day ap- 1691. May 1. pointed, President Danforth, with some members of his Council and a guard, came to

meet the chiefs at Wells; but, the favorable season for their inroads having returned, the savages had changed their minds, and, after waiting for them a sufficient time, Danforth withdrew to York. A reinforcement of thirty-five men sent by
June 9. him to Wells reached that place in season to repel an attack which, within an hour after their unexpected arrival, was made upon it by a band of two hundred Indians. The defeated party fell upon an outlying settlement of York, which they satisfied their vengeance by burning, along with a vessel anchored there, of which they massacred the greater portion of the crew.
July. Their further movements were for the present arrested by a detachment of four companies who, landing in their rear at the head of Casco Bay, went in pursuit of them as far as Pejepscot (Brunswick). Some Indians
Sept. 29. landed from canoes at a detached settlement, now the town of Rye, and carried away twenty-one of the inhabitants. On or about the same day they murdered four men and two women at Dunstable. York and Wells, with Kittery, which was protected by its contiguity to Portsmouth, were still the only towns remaining to the English in Maine.

At York, which was a place of some consequence, having three or four hundred inhabitants,
1692 there were several fortified houses. Early
Jan. 25. in a winter morning the town was surprised by a numerous party of French and In-

dians, who had made their march on snow-shoes. A brave, but unorganized defence was overcome. Seventy or eighty of the English were killed. A larger number were miserably dragged away to Canada, freezing, hard driven, and half famished. Four of the houses were resolutely defended, till the enemy were tired out, and, setting on fire the buildings they had taken, withdrew into the woods. The fate of the minister, Mr. Dummer, was much deplored. He was found on the door-step of his house, dead by a gunshot wound. His wife, one of the prisoners, died of misery and fatigue.

At Wells, with fifteen soldiers, sent to aid the inhabitants in its defence, was the brave Captain Converse, who had repulsed the Indians from it in the last year. Moxus, then defeated, was the brother of Madockawando, who was reported by a redeemed captive to have strongly resented that mishap, and to have threatened a bloody vengeance. At Wells, as at York, there were several fortified houses, built of timber, with angles adjusted with some skill. Five hundred French and Indians came against the place, guided by the two brother chiefs. The day before three small English vessels had arrived, June 9. bringing the relief of their freight of provisions and ammunition, besides the seasonable reinforcement of the fourteen men who navigated them. Two days the enemy assaulted the place. They fired from behind breastworks of June 10,11.

timber and hay. They attempted the vessels unsuccessfully with blazing rafts. They rolled up to within a few yards of the fortification a large cart, faced with thick boards, which gave protection from musketry. But the English had two or three twelve-pound cannon which were gallantly served; the men loading and pointing them, and the women, who brought ammunition, touching them off. On the evening of the second day the assailants were discouraged and withdrew. They had sustained considerable loss, while they had killed only one Englishman, a seaman, who accidentally fell into their hands as he went on shore from one of the vessels. Out of temper by reason of their disappointment, they treated him ferociously, hacking him in pieces with their knives, and inserting lighted splinters into the wounds. In the mean time Lieutenant Wilson, with eighteen men, had destroyed a party which had imprudently made another attack on Dover.

Such was the state of the war at the time of the accession of the new governor. In other respects there had been little change in the outward appearance of affairs since his departure. But there was as yet no beginning of a recovery from the great depression and embarrassments which had been experienced; and though a certainty had now succeeded to the grievous anxieties respecting the fate of the charter, it was by no means attended with a universal sense of relief. The bankruptcy of the treasury, in consequence of

the expenses of the ill-fated expedition to Quebec, was a fact but too well ascertained. The public creditors, including all persons employed by the public, alike without as with their own consent, had to put up with paper money in payment of their dues. As time proceeded, bearing with it the necessity of further outlays, there was a multiplication of public promises to pay in the form of treasury bills, and a continually deteriorating currency came into the place of whatever coin had been in circulation. In the general poverty the payment of heavy taxes was extremely burdensome, and the collecting of them sometimes required compulsion, which was sometimes resisted. Military service against the French and Indians was in the circumstances indispensable, but the prevailing discouragement rendered it unattractive, and sometimes it was refused, and could only be obtained by the use of force. The authority of the tribunals of justice was disputed, and a sort of mutiny, got up by a court which had been commissioned by Andros, was maintained for a while with obstinacy. In this disturbed and enfeebled condition of the colony, there were well-founded apprehensions of an attack in force from the French, much more serious than the annoyance of the cruisers which through the last two years had been marauding in Massachusetts Bay and Long Island Sound. Industry, in every form except the mere tilling of the ground, was brought almost to a stand. The

fear of real want impending was not simply imaginary.

A yet worse trouble confronted the new governor. He found a part of the people whom he was to rule in a state of distress and consternation by reason of certain terrible manifestations during the last few weeks before his coming, attributed by them to the agency of the Devil, and of wicked men, women, and children, whom he had confederated with himself, and was using as his instruments.

The people of Massachusetts in the seventeenth century, like all other Christian people at that time and later, — at least, with extremely rare individual exceptions, — believed in the reality of a hideous crime called *witchcraft*. They thought they had Scripture for that belief, and they knew they had law for it, explicit and abundant; and with them law and Scripture were absolute authorities for the regulation of opinion and of conduct.

In a few instances witches were believed to have appeared in the earlier years of New England. But the cases had been sporadic. The
1647. May 30. first instance of an execution for witchcraft is said to have occurred in Connecticut, soon after the settlement; but the circumstances are not known, and the fact has been doubted. A year later, one Margaret Jones, of Charlestown, in Massachusetts, and, it has been said, two other women in Dorchester and

Cambridge, were convicted and executed for the goblin crime. These cases appear to have excited no more attention than would have been given to the commission of any other felony, and no judicial record of them survives. A case much more observed was that of Mrs. Ann Hibbins, the widow of an immigrant of special distinction. He had been agent for the colony in England, and one of the Assistants. He had lost his property, and the melancholy and ill-temper to which his disappointed wife gave way appear to have exposed her to misconstructions and hatred, in the sequel of which she was convicted as a witch, and after some opposition on the part of the magistrates was hanged. 1656. June.

With three or four exceptions, — for the evidence respecting the asserted sufferers at Dorchester and Cambridge is imperfect, — no person appears to have been punished for witchcraft in Massachusetts, nor convicted of it, for more than sixty years after the settlement, though there had been three or four trials of other persons, suspected of the crime. At the time when the question respecting the colonial charter was rapidly approaching an issue, and the public mind was in feverish agitation, the ministers sent out a paper of proposals for collecting facts concerning witchcraft. This brought out a work from President Mather entitled "Illustrious Providences," in which that influential person related numerous stories of 1681. May. 1684. Jan. 1.

the performances of persons leagued with the Devil.

The imagination of his restless young son was stimulated, and circumstances fed the flame. In the last year of the government of Andros, a daughter, thirteen years old, of John Goodwin — a mason living at the South End of Boston — had a quarrel with an Irish washerwoman about some missing clothes. The woman's mother took it up, and scolded provokingly. Thereupon, the wicked child, profiting, as it seems, by what she had been hearing and reading on the mysterious subject, "cried out upon her," as the phrase was, as a witch, and proceeded to act the part understood to be fit for a bewitched person, in which behavior she was presently joined by three others of the circle, one of them only four or five years old. Now they would lose their hearing, now their sight, now their speech; and sometimes all three faculties at once. They mewed like kittens; they barked like dogs. They could read fluently in Quaker books, in the "Oxford Jests," and in the "Book of Common Prayer," but not in the "Westminster Catechism," nor in John Cotton's "Milk for Babes." Cotton Mather prayed with one of them; but she lost her hearing, he says, when he began, and recovered it as soon as he finished. Four Boston ministers and one of Charlestown held a meeting, and passed a day in fasting and prayer, by which exorcism the youngest imp was de-

1688.

Nov. 27.

livered. The poor woman, crazed with all this pother, — if in her right mind before, — and defending herself unskilfully in her foreign gibberish and with the volubility of her race, was interpreted as making some confession. A gossiping witness testified that, six years before, she had heard another woman say that she had seen the accused come down a chimney. She was required to repeat the Lord's Prayer in English, — an approved test; but, being a Catholic, she had never learned it in that language. She could recite it, after a fashion, in Latin; but she was no scholar and made some mistakes. The helpless wretch was convicted and sent to the gallows.

Cotton Mather took the oldest "afflicted" girl to his house, where she dexterously played upon his self-conceit to stimulate his credulity. She satisfied him that Satan regarded him as his most terrible enemy, and avoided him with especial awe. When he prayed or read in the Bible, she was seized with convulsion fits. When he called to family devotion, she would whistle and sing and scream, and pretend to try to strike and kick him; but her blows would be stopped before reaching his body, indicating that he was unassailable by the Evil One. Mather published an account of these transactions, with a collection of other appropriate matter. The treatise, circulated not only in Massachusetts, but widely also in England, where it obtained the warm com-

mendation of Richard Baxter, may be supposed to have had an important effect in producing the more disastrous delusion which followed three years after. The Goodwin children soon got well; in other words, they were tired of their atrocious foolery; and the death of their victim gave them a pretence for a return to decent behavior.

Mr. Samuel Parris was minister of a church in a part of Salem which was then called *Salem Village*, and which now as a separate town is known by the name of Danvers. He was a man of talents, and of repute for professional endowments, but avaricious and wrong-headed. Among his parishioners, at the time of his settlement and afterwards, there had been angry disputes about the election of a minister, which had never been composed. Neighbors and relations were embittered against each other. Elizabeth Parris, the minister's daughter, was now nine years old. A niece of his, eleven years old, lived in his family. His neighbor, Thomas Putnam, the parish clerk, had a daughter named Ann, twelve years of age. These children, with a few other young women, of whom two were as old as twenty years or thereabouts, had become possessed with a wild curiosity about the sorceries of which they had been hearing and reading, and used to hold meetings for study, if it may be so called, and practice. They learned to go through motions similar to those which had lately made the

1692.

Goodwin children so famous. They forced their limbs into grotesque postures, uttered unnatural outcries, were seized with cramps and spasms, became incapable of speech and of motion. By and by, they interrupted public worship. Abigail Williams, Parris's niece, called aloud in church to the minister to "stand up and name his text." Ann Putnam cried out, "There is a yellow bird sitting on the minister's hat, as it hangs on the pin in the pulpit." The families were distressed. The neighbors were alarmed. The physicians were perplexed and baffled, and at length declared that nothing short of witchcraft was the trouble.

The families of the "afflicted children" assembled for fasting and prayer. Then the neighboring ministers were sent for, and held at Mr. Parris's house a prayer-meeting which lasted through the day. The children performed in their presence, and the result was a confirmation by the ministers of the opinion of the doctors. Of course, the next inquiry was, by whom the manifest witchcraft was exercised. It was presumed that the unhappy girls could give the answer. For a time they refused to do so. But at length, yielding to an importunity which it had become difficult to escape unless by an avowal of their fraud, they pronounced the names of Good, Osborn, and Tituba.

Tituba — half Indian, half negro — was a servant of Mr. Parris, brought by him from the West India Islands or the Spanish Main, where

he had formerly been a merchant. Sarah Good was an old woman, miserably poor. Sarah Osborn had been prosperous in early life. She had been married twice, and her second husband was still living, but separated from her. Her reputation was not good, and for some time she had been bedridden, and in a disturbed nervous state.

March 1. In the meeting-house of Salem Village, with great solemnity, and in the presence of a vast crowd, the three accused persons were arraigned before John Hathorne and Jonathan Curwen, of Salem, members of the Colonial Council. The "afflicted children" were confronted with them; prayer was made; and the examination proceeded with a questioning of Sarah Good, the other prisoners being for the time withdrawn.

When Good declared that she was falsely accused, "Hathorne desired the children all of them to look at her; . . . . . and so they all did; , ... and presently they were all tormented." The prisoner was made to touch them, and then their torment ceased, the received doctrine being that by this contact the Satanic influence which had been emitted from the witch was drawn back into her. Similar proceedings were had with the other two prisoners. Tituba, whether in collusion with her young mistress, or, as was afterwards said, in consequence of having been scourged by Mr. Parris, confessed herself to be a witch, and charged Good and Osborn with being her accom-

plices. The evidence was then thought unexceptionable, and the three were committed to gaol for trial.

Martha Corey and Rebecca Nourse were next cried out against. Both were church-members of excellent character; the latter, seventy years of age. They were examined by the same magistrates, and sent to prison, and with them a child of Sarah Good, only four or five years old, also charged with diabolical practices. Mr. Parris preached upon the text, "Have not I chosen you twelve, and one of you is a devil?" Sarah Cloyse, understanding the allusion to be to Nourse, who was her sister, went out of church, and was accordingly cried out upon, examined, and committed. Elizabeth Procter was another person charged. The deputy-governor and five magistrates came to Salem for the examination of the two prisoners last named. Procter appealed to one of the children who was accusing her. "Dear child," she said, "it is not so; there is another judgment, dear child"; and presently they denounced as a witch her husband, who stood by her side. A week afterwards, warrants were issued for the apprehension of four other suspected persons; and a few days later for three others, one of whom, Philip English, was the principal merchant of Salem. On the same day, on the information of one of the possessed girls, an order was sent to Maine

March 21.

March 24.

April 3.

April 11.

April 18.

April 30.

for the arrest of George Burroughs, formerly a candidate for the ministry at Salem Village, and now minister of Wells. The witness said that Burroughs, besides being a wizard, had killed his first two wives and other persons whose ghosts had appeared to her and denounced him.

Charges now came in rapidly. George Jacobs, an old man, and his granddaughter, were sent to prison. "You tax me for a wizard," said he to the magistrates; "you may as well tax me for a buzzard; I have done no harm." They tried him with repeating the Lord's Prayer, which it was thought impossible for a witch to do. According to Parris's record, "he missed in several parts of it." His accusers persisted. "Well, burn me or hang me," said he, "I will stand in the truth of Christ; I know nothing of the matter, any more than the child that was born to-night." Among others, John Willard was now apprehended. As a constable he had served in the arrest and custody of some of the reputed witches. But he came to see the absurdity of the thing, and was said to have uttered something to the effect that it was the magistrates that were bewitched, and those who cheered them on. Willard was forthwith cried out against as a wizard, and committed for trial.

May 10.

May 18.

Affairs were in this condition when the King's governor arrived. About a hundred alleged witches were now in gaol, awaiting

May 14.

trial. Their case was one of the first matters to which his attention was called. Without authority for so doing, — for, by the charter which he represented, the establishment of judicial courts was a function of the General Court, — he proceeded to institute a special commission of Oyer and Terminer, consisting of seven magistrates, first of whom was the hard, obstinate, narrow-minded Stoughton. The commissioners applied themselves to their office without delay. Their first act was to try Bridget Bishop, against whom an accusation twenty years old, and retracted by its author on his death-bed, had been revived. The court sentenced her to die by hanging, and she was accordingly hanged at the end of eight days. Cotton Mather, in his account of the proceedings, relates that, as she passed along the street under guard, Bishop "had given a look towards the great and spacious meeting-house of Salem, and immediately a dæmon, invisibly entering the house, tore down a part of it." It may be guessed that a plank or a partition had given way under the pressure of the crowd of lookers-on collected for so extraordinary a spectacle.

June 2.

At the end of another four weeks the court sat again, and sentenced five women, two of Salem, and one each of Amesbury, Ipswich, and Topsfield, all of whom were executed, protesting their innocence. In respect to one of them, Rebecca Nourse, a matron

June 30.

July 19.

eminent for piety and goodness, a verdict of acquittal was first rendered. But Stoughton sent the jury out again, reminding them that, in her examination, in reference to certain witnesses against her who had confessed their own guilt, she had used the expression, "they came among us." Nourse was deaf, and did not catch what had been going on. When it was afterwards repeated to her, she said that by the *coming among us* she meant that they had been in prison together. But the jury adopted the court's interpretation of the words as signifying an acknowledgment that they had met at a witch orgy. The governor was disposed to grant her a pardon. But Parris, who had an ancient grudge against her, interfered and prevailed. On the last communion-day before her execution, she was taken into church, and formally excommunicated by Noyes, her minister.

Aug. 5. Of six persons tried at the next session of the court, the Reverend George Burroughs, a graduate of Harvard College, was one. At a certain point of the proceedings the young people pretending to have suffered from him stood mute. Stoughton asked who hindered them from telling their story. "The Devil, I suppose," said Burroughs. "Why should the Devil be so careful to suppress evidence against you?" retorted the judge, and with the jury this encounter of wits told hardly against the prisoner.

Aug. 19. His behavior at his execution strongly

impressed the spectators in his favor. "When he was upon the ladder, he made a speech for the clearing of his innocency, with such solemn and serious expressions as were to the admiration of all present; his prayer (which he concluded by repeating the Lord's Prayer) was so well worded, and uttered with such composedness, and such (at least, seeming) fervency of spirit as was very affecting, and drew tears from many, so that it seemed to many the spectators would hinder the execution." Cotton Mather, who was present on horseback, made them a quieting harangue. "The accusers said the Black Man stood and dictated to him."

In the course of the next month, in which the governor left Boston for a short tour of inspection in the Eastern country, fifteen persons — six women in one day, and on another, eight women and one man — were tried, convicted, and sentenced. Eight of them were hanged. The brave Giles Corey, eighty years of age, being arraigned refused to plead. He said that the whole thing was an imposture, and that it was of no use to put himself on his trial, for every trial had ended in a conviction, — which was the fact. It is shocking to relate that, suffering the penalty of the English common law for a contumacious refusal to answer, — the *peine forte et dure*, — he was pressed to death with heavy weights laid on his body. By not pleading he intended to protect the inheri-

Sept. 9. Sept. 17. Sept. 22. Sept. 19.

tance of his children, which, as he had been informed, would, by a conviction of felony, have been forfeit to the crown.

October. In the following month the malady broke out in another neighborhood. One Ballard, of the town of Andover, whose wife was ill in a way that perplexed their medical friend, sent to Salem to see what light could be obtained from the witch-detectors there. A party of them came to his help, and went to work with vigor. More than fifty persons at Andover fell under accusation, some of the weaker-minded of whom were brought to confess themselves guilty not only of afflicting their neighbors, but of practising such exercises as riding on animals and on sticks through the air.

There were no executions, however, after those which have been mentioned as occurring on one day of each of four successive months. There had been twenty human victims (Corey included), besides two dogs, their accomplices in the mysterious crime. Fifty persons had obtained a pardon by confessing; a hundred and fifty were in prison awaiting trial; and charges had been made against two hundred more. The accusers were now flying at high quarries. Hezekiah Usher, known to the reader as an ancient magistrate of fair consideration, was complained of, and Mrs. Thacher, mother-in-law of Curwin, the justice who had taken the earliest examinations. Zeal in pushing forward the prosecutions began to

seem dangerous; for what was to prevent an accused person from securing himself by confession, and then revenging himself on the accuser by arraigning him as a former ally?

Mrs. Hale, wife of the minister of Beverly who had been active in the prosecutions, and Dudley Bradstreet, of Andover, the old governor's son, who had granted warrants for the commitment of some thirty or forty alleged witches, were now accused. The famous name of John Allyn, Secretary of Connecticut, was uttered in whispers. There had even begun to be a muttering about Lady Phipps, the governor's wife, and Mr. Willard, then minister of the Old South Church in Boston, and afterwards head of the College, who, after yielding to the infatuation in its earliest stage, had made himself obnoxious and suspected by partially retracing his steps. People began now to be almost as wild with the fear of being charged with witchcraft, or having the charge made against their friends, as they had been with the fear of suffering from its spells. The visitation, shocking as it had been, had been local. It had been almost confined to some towns of Essex County. In other parts of the province the public mind was calmer, or was turned in the different direction of disgust at the insane tragedies, and dread of their repetition. A person in Boston, whose name had begun to be used dangerously by the informers at Andover, instituted an action for defamation, laying his damages at a thousand

pounds; a measure which, while it would probably have been ruinous to him, had he made a mistake in choosing his time, was now found, at the turning of the tide, to have a wholesome effect.

After the convictions which were last mentioned, the Commission Court adjourned for two months. Thanks to the good sense of the people, it never met again. Before the time designated for its next session, the General Court of
Oct. 12. the province assembled, and the cry of the oppressed and miserable came to their ear. The General Court superseded the Court of Special Commission, the agent of all the cruelty, by constituting a regular tribunal of supreme
Nov. 25. jurisdiction. When that court met at the appointed time, reason had begun to resume her
1693. sway, and the grand jury at once threw
Jan. 3. out more than half of the presentments. They found true bills against twenty-six persons. The evidence against these was as good as any that had proved fatal in former trials; but only three of the arraigned were found guilty, and all these were pardoned. One of them may have owed her conviction to a sort of rude justice; she had before confessed herself a witch, and charged her husband, who was hanged on her information. Stoughton, who had been made Chief Justice, showed his disapprobation of the pardons by withdrawing from the bench "with pas-
Feb 21. sionate anger." Phipps wrote to the

Lords of Trade a disingenuous letter in which he attempted to divert from himself, chiefly at Stoughton's expense, whatever blame might be attached to the recent transactions; it even appeared to imply, what was contrary to the fact, that the executions did not begin till after his departure from Boston to the Eastern country. 1692. September.

The drunken fever-fit was now over, and with returning sobriety came profound contrition and disgust. A few still held out. There are some men who never own that they have been in the wrong, and a few men who are forever incapable of seeing it. Stoughton, with his bull-dog stubbornness, that might in other times have made him a Saint Dominic, continued to insist that the business had been all right, and that the only mistake was in putting a stop to it. Cotton Mather was always infallible in his own eyes. In the year after the executions, he had the satisfaction of studying another remarkable case of possession in Boston; but when it and the treatise which he wrote upon it failed to excite much attention, and it was plain that the tide had set the other way, he soon got his consent to let it run at its own pleasure, and turned his excursive activity to other objects. Saltonstall, horrified by the rigor of his colleagues, had resigned his place in the commission at an early period of the operations. When reason returned, Parris, the Salem minister, was driven from his place by the calm

and decent, but irreconcilable indignation of his parishioners. Noyes, his well-intentioned but infatuated neighbor in the First Parish, devoting the remainder of his life to peaceful and Christian service, caused his church to cancel, by a formal and public act, their excommunication of the blameless Mrs. Nourse, who had died his peculiar victim.

1712.

Members of some of the juries, in a written public declaration, acknowledged the fault of their wrongful verdicts, entreated forgiveness, and protested that, "according to their present minds, they would none of them do such things again, on such grounds, for the whole world, praying that this act of theirs might be accepted in way of satisfaction for their offence." A day of General Fasting was proclaimed by authority, to be observed throughout the jurisdiction, in which the people were invited to pray that "whatever mistakes on either hand had been fallen into, either by the body of this people, or by any orders of men, referring to the late tragedy raised among us by Satan and his instruments, through the awful judgment of God, he would humble them therefor, and pardon all the errors of his servants and people." On that day, Judge Sewall rose in his pew in the Old South Church in Boston, handed to the desk a paper, acknowledging and bewailing his great offence, and asking the prayers of the congregation "that the Divine displeasure thereof might be stayed against

1696. Jan. 14.

the country, his family, and himself," and remained standing while it was read by the minister. To the end of his long life, the penitent and much-respected man kept every year a private day of humiliation and prayer on the same account. Twenty-eight years after, he prays in an entry in his diary in reference to the transaction: "The good and gracious God be pleased to save New England, and me and my family!" Ann Putnam, one of the three beginners of the mischief, after thirteen years, came out of the long conflict between her conscience and her shame, with a most affecting declaration of her remorse and grief, now on record in the books of the Danvers church. Twenty years after, the General Court made grants to the heirs of the sufferers, in acknowledgment of their pecuniary losses. "Some of them [the witch accusers] proved profligate persons," says Governor Hutchinson, "abandoned to all vice; others passed their days in obscurity and contempt."

It is not to be supposed that at this day the testimony can be all elucidated or the juggles exposed, which beguiled so many people, otherwise discerning and right-minded, almost two centuries ago. Nor does it properly belong to the province of an historian of New England to account for phenomena which have been exhibited on a much larger scale in other times and places than those of which he writes. Governor Hutchinson recounted these transactions seventy years after

their occurrence, when the traditions relating to them were fresh. He had heard the story of them told by not a few eye-witnesses, and he had a mass of writings in relation to them which now have perished. He was a man eminent for force and acuteness of mind. As head of the judiciary of Massachusetts, he had had large practice in the weighing of evidence; and his judgment on the whole matter was, "that a little attention must force conviction that the whole was a scene of fraud and imposture, begun by young girls, who at first perhaps thought of nothing more than being pitied and indulged, and continued by adult persons, who were afraid of being accused themselves. The one and the other, rather than confess their fraud, suffered the lives of so many innocents to be taken away, through the credulity of judges and juries. There are," he says, "a great number of persons who are willing to suppose the accusers to have been under bodily disorders which affected their imaginations. This is kind and charitable, but seems to be winking the truth out of sight." Recent investigations have further established a strong probability that in the principal scene of the tragedy, after the cruel facility of the tribunals had been manifested in the course of the first trials, more or fewer of the charges were instigated by personal vindictiveness and malice growing out of quarrels which had existed in the preceding years. In short, impudent craft, on the one part, under one or another

wicked excitement, had practised upon a preparation, on the other part, for being deluded.

The confessions made by the accused in numerous instances — fifty or more — were in the early trials received as weighty evidence; nor, taking fairly into view the state of opinion at the time, ought this estimation of them to create surprise. It was not long, however, before circumstances disclosed their worthlessness. It soon became manifest that, an accusation once made, confession was both the sure and the only way to save life. Without exception, in the first trials, every person arraigned was convicted; and every person who confessed was spared; and all who did not confess were executed. In some instances confessions were retracted, though, as long as the frenzy was raging, this had to be done at the sacrifice of life; and in every remaining instance they were retracted at a later time, when matters again were quiet. These facts are sufficient to account for one class of them. Others were extorted in such ways that the persons who made them were in no state of mind to justify any reliance on their declarations. They were subjected to appliances such as drive clear and robust minds to insanity. Kept day and night, day after day, night after night, in a state of high nervous excitement; plied perpetually by entreaties and reproaches; bewildered by the detestable legerdemain practised against them by the informers; frightened by their prison solitude,

and weakened with their prison fare; teased while awake, and scared while asleep, by phantoms of the infernal world conjured up in the imaginations of others to be reflected into their own: one cannot wonder if many of them should become sufficiently distracted to think that they verily were what other people said they were, and to own that they had joined in Satan's sacrament, or set their names to his black book, or any other foolish thing that was asked of them. The following is a declaration of six women at Andover, who had confessed, and respecting whose character more than fifty of their most respectable neighbors testified that "by their sober, godly, and exemplary conversation, they had obtained a good report in the place, where they had been well esteemed and approved in the church of which they were members." Relating first the circumstances of their apprehension, they go on to say:—

"After Mr. Barnard had been at prayer, we were blindfolded and our hands were laid upon the afflicted persons, they being in their fits, and falling into their fits at our coming into their presence, as they said; and some led us and laid our hands upon them, and then they said they were well, and that we were guilty of afflicting them. Whereupon we were all seized as prisoners, by a warrant from the justice of the peace, and forthwith carried to Salem. And by reason of that sudden surprisal, we knowing ourselves

altogether innocent of that crime, we were all exceedingly astonished and amazed and consternated and affrighted, even out of our reason; and our nearest and dearest relations, seeing us in that dreadful condition, and knowing our great danger, apprehended there was no other way to save our lives, as the case was then circumstanced, but by our confessing ourselves to be such and such persons as the afflicted represented us to be; they out of tenderness and pity persuaded us to confess what we did confess. And, indeed, that confession that it is said we made was no other than what was suggested to us by some gentlemen, they telling us that we were witches, and they knew it, and we knew it, which made us think it was so; and our understanding, our reason, our faculties almost gone, we were not capable of judging of our condition; as also the hard measures they used with us rendered us incapable of making our defence, but said anything and everything which they desired, and most of what we said was but in effect a consenting to what they said. Some time after, when we were better composed, they telling us what we had confessed, we did profess that we were innocent and ignorant of such things; and we hearing that Samuel Wardwell had renounced his confession, and was quickly after condemned and executed, some of us were told that we were going after Wardwell."

Perhaps the fictitious character of the charges

would have been satisfactorily evinced at the time of the trials, if the accused had been defended by able counsel, learned in the laws of evidence and skilled in exposing falsehood by cross-examination. But there were no trained lawyers in the province. The few persons who were in the habit of acting as counsel had had no regular education in the law. The alleged witches had no counsel whatever. Nor had their judges the competency which that station demands for instructing a jury on an intricate case of felony. Stoughton and Sewall had been educated for the pulpit; two of their five associates were physicians, and one was a merchant; not one was a lawyer. When such men did cruel injustice, it was partly from imperfect knowledge of the rules of proof, and partly because their minds were prepossessed with misleading imaginations. On the whole, the court represented the sense of that portion of the people, with whom a merciful incredulity or a mere natural relenting was least likely to prevail against the bewildering theory of the age. The court was not constituted by the people of Massachusetts, but, without their authority, by the governor set over them by the King; and it was constituted, not of persons possessing the confidence of the people, but largely of former functionaries recently discharged by the popular vote. Stoughton was its head and soul, and he was a man so stubborn that, when his theory had been adopted,

any humane reluctance was to him only an impertinence and a sin. The timid conscientiousness of Sewall precisely prepared him for the sway of his positive and grim associate. Wait Winthrop was rather a feeble person, and something of a courtier. Saltonstall was disgusted with the proceedings from the outset, and refused to sit. Bradstreet's heaviness was wiser than the mercurial temperament of some of his eminent contemporaries. He had steadfastly refused to order the execution of a convicted witch four years before the Salem tragedy; he is not known to have done anything to countenance the follies which had been rife in the last three months of his administration; and there is every probability that, had he continued to be Chief Magistrate, the misery and shame which inaugurated his successor's administration would have been spared.

The transactions which have been described have been visited by the severe reprobation of later times. Yet epidemic delusions, and delusions having tragical issues, have not been so uncommon in history, as that their occurrence should excite surprise as monstrous deviations from the order of human things. Not fifteen years before the alarm of witchcraft in New England, large numbers of innocent men in England had fallen victims to a popular madness, excited by the flagitious fiction of the Popish plot; and in New York, half a century later than the tragedy at Salem, fifty persons were transported

and sold, twenty-two were hanged, and eleven were burned to death, on regular legal conviction, for being concerned in a conspiracy, which no sane person has the slightest belief in at the present day, and the history of which only remains to confound the notions of those who desire to place confidence in the truth of testimony, the rectitude of magistrates, and the common sense of men. Especially, no doubt, are such delusions contagious and dangerous when they are associated with religious superstition and with the mysteries of the invisible world. But it needs not they should have that association, to make them capable of interfering with the righteous administration of justice. Judges and juries in the witchcraft trials did not appear more passionately bent on preposterous mischief than did the English courts which fourteen years earlier made themselves the bloody instruments of Oates and Dangerfield, or the New York court which fifty years later transported, hanged, and burned the confederates in a plot that never was made, or the office-holders and citizens who enforced the Fugitive-Slave Bill of the United States more than a century later yet.

There is one class of thinkers fully entitled to take the ground that an allegation, in any case, of demoniacal agency in human affairs is mere fraud and folly. It consists of those who, reasoning from the attributes of God and his relations to his world, have arrived at the conviction so

wisely maintained in the work of Hugh Farmer, that "all effects produced in the system of nature, contrary to the general laws by which it is governed, are proper miracles, and that all miracles are works appropriate to God." But this result of careful thought is certainly not the state of mind of the great majority of those who now without hesitation reject as essentially incredible all narrations of diabolical intervention. At all events, it is to the last degree improbable that instances of that state of mind were to be found in the seventeenth century. That belief in a possible demoniacal agency which, partly by force of thought and reasoning, and much more by force of a vague prevailing scepticism, has now to a large extent lost its hold on the popular mind, was apparently the universal belief of the earlier time. The person who, in a careless state of general unbelief, condemns the credulity of believers in witchcraft, has certainly not as definite and respectable a foundation for his theory as they for theirs, however much nearer to the truth he may happen in this particular instance to be.

The estimation of witchcraft as a crime equally real as murder and more heinous, and the practice of punishing it accordingly, were much older than the Puritan occupation of New England. They were much older than the Protestant Reformation. Treatises had been written upon it, laws against it had been enacted, persons charged with

it had been tortured and killed, through ages of Christian history and in distant parts of Christian Europe. It had been punished with a wide carnage as early as the century when the Roman empire became Christian. The superstition had shown no symptoms of decline in the modern ages. In the century of the Revival of Learning
1431. patriots and heretics suffered for it. Joan of Arc was burned as a witch because she delivered her country, and vast numbers of the Waldenses of France and Savoy because they denied the real presence in the Eucharist. A Bull of Pope Innocent the Eighth proclaimed the
1484. wide prevalence of the crime, and enforced on all good Catholics their responsibility for its extirpation,—a measure which, as has been calculated, caused the death of not fewer than a hundred thousand persons in Germany alone. In the district of Como in Lombardy, a thousand witches are related to have been slaughtered in
1524. one year, and one hundred in each of sev-
1615. eral years afterwards. A little later, five hundred persons charged with witchcraft were put to death in the republic of Geneva, which had then a population not more than half as great as was the population of Massachusetts at the time when the frenzy there cost twenty lives. Within twenty-five years of the popular infatuation in Massachusetts, Sweden had been the scene of a similar delusion and misery, brought about by a similar instrumentality of some un-

naturally wicked children. Eighty-eight witches in one neighborhood, including fifteen children, were executed, while large numbers, as has continually occurred elsewhere, saved their lives by confessing themselves to be guilty of the imaginary crime. 1669, 1670.

As to the currency of the superstition among the British race, the executions for witchcraft in Scotland, in the reign of King James the Sixth, are believed to have been so numerous as to require to be reckoned by thousands. The coming of that monarch to England as James the First gave an impulse there to the study of a department of learning and law in which especially he prided himself on his proficiency. His treatise on Demonology discusses the character and diagnostics of witchcraft, with just as absolute a conviction of the reality of the crime described as would be felt by the author of a treatise on poaching; and in his reign an Act of Parliament was passed which gave vigor to the application of his theory. Nor in this matter was commonwealth wiser than royalty, — the sage Justice Matthew Hale than the foolish King James Stuart. In the days of the Long Parliament there were more than a hundred executions for witchcraft in the English shires of Essex and Sussex, with the approbation of the ministers Baxter and Calamy, than whom there were no higher authorities for New England. The English statutes against witchcraft were repealed only 1645, 1646.

1736. forty years before the American colonies ceased to be part of the British empire. The popular commentary upon English law, which was published almost at the end of the seventeenth century, recognizes witchcraft as a real crime. When the course of proceeding in Massachusetts against witchcraft was brought to the notice of the Privy Council of King William the Third, they did not order their governor to be instructed that it was all cruel nonsense, and that an immediate stop must be put to it. Nothing of the kind. They took on themselves no responsibility so rash. They paraded no such audacious eccentricity. They bade the King's Sec-

1693. Jan. 26. retary of State to instruct the governor — such is the language of their journal — "that in all proceedings for the future against persons accused for witchcraft, or being possessed by the Devil, the greatest moderation and all due circumspection be used, so far as the same may be without impediment to the ordinary course of justice." At the board where this recognition of the reality of witchcraft was registered, was collected the ripest intelligence of England.

It was not to be expected of the colonists of New England that they should be the first to see through a delusion which befooled the whole civilized world, and the gravest and most knowing persons in it. Men are not omniscient, nor is it common, any more than just, to blame them for not being so. We do not find fault with

Aristotle for being ignorant of the law which directs the movements at once of an apple falling from a tree, and of a comet in the distant realms of space. We do not pronounce Galileo incapable because he did not know the weight of the planet Jupiter, nor Franklin because he did not invent the magnetic telegraph. It is rash to say that men should rise above their age. They should strive to do it; but, after all, what better is it possible for them to seize than what is within their reach ?

A sober consideration of the tenor of human affairs expects occasional disturbances of them from " fears of the brave and follies of the wise." Nor was the condition of the people of New England in the seventeenth century at all favorable to that immunity from a superstitious panic and madness of the sort in question, which in the most propitious state of things would then have been no easy attainment. If any may be specially excused for being led astray by gloomy superstitions, it is they who are surrounded by circumstances, and pressed by griefs and anxieties, such as incline to sad and unhealthy meditation. The experience of the three heroic generations of English exiles in Massachusetts had been hard and sorrowful. Of those who were living when the provincial charter came into effect, the memory of the oldest went back to the primitive times of want and misery ; the middle-aged men had been out in arms in the most dreadful of the Indian

wars, and the middle-aged women had passed years of mourning for the husbands, lovers, and brothers whom it had swept away. The generation just entered upon the stage had been born and reared in melancholy homes. The present was full of troubles and forebodings. The venerated charter had been lost. Social ties had been weakened. Social order was insecure. The paths of enterprise were obstructed. Industry had little impulse. Poverty was already felt. There was danger of destitution. A powerful foreign enemy threatened, and the capacity for defence was crippled by penury. A people in the mood to which such surroundings naturally lead could scarcely be expected to set the example of a release from gloomy fancies which ensnared the rest of mankind. Nor would it be preposterous to ascribe some influence on the spirits and the imagination to the loneliness of the homes of the settlers, and the harsh aspects of the scenery amid which their temper had been educated and their daily life was passed.

But, with or without peculiar exposures to delusion, the people of New England believed what the wisest men of the world believed at the end of the seventeenth century, and never was a people in whom honest conviction, of whatever kind, was surer to shape itself in act. They read in the Bible the command, "Thou shalt not suffer a witch to live," and, instead of understanding the Hebrew legislator as denouncing in

these words a class of juggling impostors, whose tricks were connected with that idolatry which in every form was a capital crime under the Mosaic polity, they understood him to recognize the existence of practitioners really possessing supernatural powers derived from the Prince of the power of the air, and using them for purposes mischievous to men and hateful to God. Oracles of their faith from the other side of the water had taught that on the good Christians of New England God had peculiarly imposed the responsibility of defeating the Devil, in the place where he could "show most malice," because there "he is hated and hateth most." That the Devil, with all the vast and malignant power which they ascribed to him, was their enemy, was an unquestioned fact which to them carried not an overmastering but an arousing terror. They must give him battle bravely, and abide the issue; for they were the Lord's soldiers, and since the adversary did not wear a bodily shape for them to strike at, they must make his nefarious instruments feel their unsparing blows.

Nor, as an independent influence, is the naked fact to be overlooked that witchcraft was a felony by statute. There is no denying that a vital, constitutional, ingrained reverence for law as such, additional to and even irrespective of considerations of the equity or wisdom of any of its provisions in a given case, has been in all times a characteristic of the people of New England; and the

hanging of witches was the form which a fanatical devotion to law took in Essex County at the end of the seventeenth century. Witchcraft stood on the books as a capital offence; and when the authorized expounders of the law were seen to take part against the accused, the mighty conservative element in the community was summoned to the oppressor's side. In the judgment of an important class among the people, to interpose for the sufferers was to speak evil of dignities, and associate one's self with those who sought to unsettle the foundations of society. In such circumstances, the more enlightened lovers of Law and Order — of Order, which can never be permanently dissociated from humanity — of Law, which justice always ought to underlie and inform — were forced into a false position. To manifest their loyalty many felt themselves bound, in conscience and duty, to do violence to their sentiments of justice, humanity, and honor. They were placed at a great disadvantage for any useful interference, when they could only attempt it at the cost of seeming to take a factious part, which in truth they loathed. When they echoed the maxims of Stoughton and his set, they were in much the same state of mind as were the loyal citizens of the same community who, a hundred and sixty years later, presented their thanks to the champion of the Fugitive-Slave Bill for refreshing their sense of obligation in respect to the demands of that enactment.

Happily for the present age, it understands the laws of the divine economy and of the human mind otherwise than as they were understood in the time of the Dutch King of England. By reason of convictions now outgrown, twenty innocent persons — not hundreds and thousands of innocent persons, as elsewhere under the same charge — were put to death in Massachusetts in that age. The madness of which they were the victims raged for about half a year in a part of that province, mostly in a part of one county, instead of the long periods of time, and the large districts of country, in which it has done its dreadful work elsewhere. Unoffending men and women were put out of the pale of sympathy; were put in gaol, were put in chains, were put to death. And this was sad enough, and bad enough. But they were not burned to death, nor were they tortured upon the rack, nor in the boots, nor by the thumb-screw, as hosts of brave and blameless men have by superior barbarity been tortured and killed elsewhere. There is a difference — and this the deluded people of Massachusetts in the worst access of their frenzy knew — between doing what is thought needful for security, and making the agonies of the helpless feed the rage of the inhuman and strong. Nor among the many communities in which at different times this shocking infatuation has gained a foothold, is it possible to name one in which reason, courage, and humanity have so soon re-

sumed their sway as in Massachusetts, and so well done their proper office. Nor is it possible to avoid considering of what stuff some men and women of that stock were made, when twenty of them went to the gallows rather than soil their consciences by the lie of a confession. Nor can even the conduct of the blinded magistrates be set down as merely brutal fury, when they uniformly pardoned such as acknowledged their offence and promised blameless lives for the future.

CHAPTER V.

ADMINISTRATIONS OF PHIPPS AND STOUGHTON.

Under Sir William Phipps, the internal administration of Massachusetts proceeded in methods much the same as had been followed under the colonial governors. When the court came together, which was convened by his writ, William Bond, on his presentation as Speaker of the Deputies, "prayed his Excellency, in their behalf, that there might be allowed unto them the accustomed privileges of an English assembly, which he expected as their due"; namely, freedom of debate, free access to the governor, and security from arrest for themselves and their servants, except for felony and treason, during sessions of the General Court and journeys to and from the place of meeting. A bill establishing a Naval Office was passed, and another to incorporate the College; but both were in due time disallowed by the Privy Council. Overlooking the power vested in the governor by the new charter to nominate civil officers, Phipps allowed them to be chosen by the Council, — an irregularity, however, which did not pass into precedent. Some necessary financial ar-

1692. June 8 – July 2.

June 27.

June 28.

1695. Aug. 22.

rangements were made, and the governor received authority, on the occurrence of a sufficient exigency, to march the militia of the province into New York or any New England colony. And the Court adjourned after enacting that all such laws of Massachusetts and Plymouth, existing at the abrogation of the old charter, as were not inconsistent with the new charter or with English law, should be revived and be in force till the following autumn, when it was to meet again.

The legislation which followed was prosecuted under embarrassing circumstances. While changes were unavoidable to meet the obligations of the new constitution, the Legislature was aiming to admit as few alterations as possible of the ancient system. The consequence was an unsettled condition of the law. Statutes would be enacted, and sent to England for confirmation, going into effect meanwhile. At some time within three years a notice of their being disapproved would come back. The General Court would try some other way of disposing of the same question, and repeated attempts on their part were liable to meet a similar discomfiture.

The Legislature came together for its second session, with the task before it of conform-
1692. Oct. 12. ing the inherited institutions to the new order of things, and of doing this in a manner to retain as much as might be of what had been valued in the past. But in the pursuit of this last object it proved that an equal vigilance was to be

encountered on the other side. For instance; the first act of the General Court [Oct. 18.] at its second session under the new charter provided that "no aid, tax, ... or imposition whatsoever" should be "levied on any of their Majesties' subjects or estates, on any pretence whatsoever, but by the act and consent of the Governor, Council, and Representatives of the people assembled in General Court." If this had been approved, the cause of dispute which brought about the independence of the United States would have been taken away. But such was not the will of the Privy Council of King William. Some features of the ancient criminal code were modified not unreasonably, on the one hand by the voluntary action of the General Court, on the other by the exercise of the King's new power of revision. The recent insecurity of landed property under the government of Andros gave rise to a law which vested a title after an undisturbed possession of three years. But this was disallowed in England. Laws for the administration of towns, for the support of ministers and schools, for the solemnizing of marriages by ministers or justices, for the observance of the Lord's day, and others corresponding to the local sentiments and habits, received the royal approval.

A revisal of the system for the administration of justice had become necessary. An Act "for the establishing of judicatories and courts of

justice within the province," created a Superior Court, Courts of Common Pleas, Courts of Sessions, and the office of Justice of the Peace, of which the duties had, under the old charter, been performed by the Assistants. The Superior Court, which was to consist of a Chief Justice and four associates, was vested with original jurisdiction in cases involving an amount not less than ten pounds; it heard appeals from the inferior courts; and was authorized by a
Dec. 14. supplementary Act to issue writs of *habeas corpus*, though the right of Englishmen in the colo-
1695. nies to that writ was afterwards disallowed
Aug. 22. by the crown. William Stoughton was the first Chief Justice, and Thomas Danforth, Wait Winthrop, John Richards, and Samuel Sewall were his associates; no one of the five having been bred a lawyer. Richards died within three years, and Elisha Cooke was appointed in his place.

The Act provided for a Court of Common
1692. Pleas for each of the eight counties, each
Nov. 25. court to consist of four judges. They were to have original jurisdiction in all civil actions, their judgments being subject to appeal, and they could entertain appeals from decisions of justices of the peace. The Courts of Sessions, of which also each county had one, were constituted of all the justices of the peace within the county. They heard appeals from justices' courts in criminal matters; superintended houses of cor-

rection; licensed innholders and retailers of liquors; and performed various functions of the county commissioners of the present day. Justices of the peace were to have jurisdiction "in all manner of debts, trespasses, and other matters not exceeding the value of forty shillings, wherein the title of land was not concerned"; and they were to suppress quarrels and riots, "make out hue-and-cries," and punish "lying, libelling, and spreading false news," profanation of the Sabbath, gambling, drunkenness, profaneness, and other breaches of the public order. A Chancery Court was to consist of the governor, or such presiding officer as he should appoint, with eight or more counsellors. The probate of wills had, under the colonial charter, been a function of the courts of common law. The provincial charter transferred it to the governor and Council, who proceeded to entertain questions of testaments and inheritances as a court of appeal, but devolved the original jurisdiction in each county on a judge of probate of their appointment.

At the first election of counsellors for the new government, the old party division reappeared, and the governor made an ungracious use of his new authority in rejecting Elisha Cooke, who was elected into the Council by the General Court. A considerable change was made in the constitution of that body as it had been arranged by the King. Several places were vacated in favor of persons more favorable

1693. May.

to the old order of things. Stoughton, however, was retained. Obnoxious as he was to many, the clergy were on the whole kindly disposed to him; the forward part which he had taken in the Revolution was something to set off against his earlier and later ill-deserts; and his long and various experience of affairs was some security against the effects of his superior's incompetence. Danforth was one of those who were restored by the popular will to power. The omission of the old governor, Bradstreet, was probably in accordance with his own wish.

A change of some importance was made in the second year of Phipps's government, relating to the qualifications of members of the Lower House. Hitherto a town might elect for its deputy an inhabitant of some other town, being thus at liberty to engage in its service the best talent it might find in the colony. Against the protest of the Speaker and twenty-one other deputies, it was now enacted that a deputy must be an inhabitant of the town represented by him, — a restriction continued as long as the representation of towns existed, and still in force as to the electing districts. The unavoidable effect has been to reduce the standard of ability in the Legislature. But if an electing district may not now, as in the early times, look in any part of Massachusetts for the man most fit to watch over its interests and do it credit in the Legislature of the Commonwealth, some com-

1693. Nov. 28.

pensation for the sacrifice is afforded by a degree of experience in the management of public business which, under the present system, is carried from the central government into every part of the territory. As so often happens with important changes, this was brought about by a merely incidental and temporary cause. Many representatives of country towns — friends to the old charter, or for other causes unfriendly to Governor Phipps — were inhabitants of Boston. To get rid of them, advantage was taken of local pride, and of the interests of men in the rural districts who were impatient of obscurity.

The hostility of the Indians in the Eastern country was one of the matters that claimed the governor's instant attention. It was in the next month after his arrival that a party, 1692. June 10. five hundred in number, including several Frenchmen from Canada, attacked the post at Wells, held by some thirty English, who drove them off after a desperate fight, in which women shared, and did good service. Sir William had been instructed in England to build a fort in Maine, both for a security against the Indians and as a demonstration against the French; and, probably under the advice of Andros, who had a strange confidence in that position, Pemaquid was the designated spot. He led four hundred and fifty men from Boston, and on the site of Sir Edmund's old fort, proceeded to September. construct a work said to be more formidable than

Castle William at Boston, or Cape Diamond at Quebec, or any other fortress in America. Phipps was joined at Pemaquid by Major Church, the veteran partisan of Philip's war, who had John Gorham of Barnstable for his second in command. The governor consulted Church about the work he was erecting, but the unscientific campaigner retained his old prejudice against fortifications, and would take no interest in the matter. Church went in search of the Indian enemy to the Penobscot and the Kennebec, but they eluded him, and he accomplished nothing.

The next year there was for a time a better prospect. Major Converse, the officer who had so distinguished himself in the recent defence of Wells, scoured the country from the Piscataqua to the Kennebec with four or five hundred men, and returning built a stone fort on Saco River, a few miles from the sea, in the heart of the Indian country. Thereupon the Indians expressed their willingness to make peace; and accordingly thirteen chiefs, who represented themselves as empowered by all the tribes as far east as to the Passamaquoddy, concluded at Pemaquid a treaty in which they acknowledged themselves to be subjects of the crown of England, and promised future good behavior. This agreeable issue of the campaign did not obtain unqualified approbation for the governor. Spending money at Pemaquid was already one of the most unpopular proceedings, and the

1693.

Aug. 11.

House could not venture to deny a vote which was proposed, declaring the recent erection of a costly fort there to be unauthorized and "a grievance." Dec. 13.

The ill-success of the recent expedition against Canada was so apparently due to mere accident, that it rather invited than discouraged a further attempt. The home government entered into the scheme with alacrity. There was an English fleet now in the West Indies, with two thousand seamen and about as many soldiers. It was arranged that this force should come to Boston in the spring, and, being joined there by some other ships and troops, should proceed to the conquest of Quebec. But the whole project miscarried. Information and orders sent from England in reference to it were five months on the passage over sea, so that when the fleet arrived in Boston no preparations had been made. Nor, if they had been, could the enterprise have been prosecuted, for an epidemic sickness had broken out in the ships, and carried off more than two thirds of the crews. The governor and admiral could do no better than to concert a plan for the next year, which they proposed to have carried out by two thousand men to be sent from England, and as many more to be furnished by the colonies. The scheme was that the two forces should rendezvous at the obscure point of Canso, at the eastern end of Nova Scotia, so as not to attract observation, and that then, sail- Feb.–July.

ing up the St. Lawrence, one portion should proceed to Montreal, while the other remained to attack Quebec. By the despatch of the whole force by sea, it was expected to avoid some of the difficulties which had defeated the former expedition.

Phipps had entered on his administration with no great support of popular favor, and what there was of it fell off. There was not reason to complain of him for any such contemptuous conduct as that with which Dudley had inaugurated his unwelcome government, far less for any inclination towards such oppressive measures as had made odious the name of Andros. On the contrary, credit was not denied him for being an honest friend to the colony, and for being unambitious to push to any extreme the prerogatives of his position. But as he was more known, his capacity was less highly estimated. His expedition against the French had not only not prospered, but it had involved the colony in very burdensome embarrassment; and every undefined feeling of discontent excited by the various troubles of the time tended to take the shape of dissatisfaction with the chief ruler. Further, he was weakened by qualities which repel respect. Though not intending to be unreasonable, and not constitutionally pertinacious, he was naturally sensitive and hasty, and had been used to the discipline of the quarter-deck, so that, when opposed, he easily lost his temper and forgot his dignity. He very

soon involved himself in quarrels which, equally when he was right as when he was wrong in respect to the matter of dispute, exposed him to just reproach for conduct unbecoming his high station, and which speedily deprived him of the confidence of his superiors in England.

An officer named Short commanded the frigate (the Nonsuch) which brought Sir William to America. On the passage the governor took a dislike to him, — reasonably enough, as may be inferred from Short's later proceedings. He had been in Boston only a few weeks, when he committed the outrage of an assault upon two members of the General Court in their bedchambers; they appear to have incensed him by opposing his pretensions to impress men. The colonial governors had control of ships of war on their coasts. When Phipps went to the eastward, he left an order for Short to follow him forthwith with his ship, and the order was not obeyed to his satisfaction, nor another order to cruise in the Bay after some French vessels. Meeting the captain in the street, Phipps accosted him with reproaches, and a fight ensued, in which the governor knocked down his antagonist and beat him with his cane. He then put him in gaol, and from gaol sent him first to the fort, and then on board a vessel bound to England, to be conducted there to the Secretary of State.

1692. June. July. September. 1693. Jan. 4.

Jahleel Brenton, of Rhode Island, had under

Randolph's patronage been made collector of the customs in Boston. This arrangement was of doubtful validity in point of law, and was disagreeable to the merchants, who had been used to paying duties to the colonial naval officer. Phipps, who had lately appointed a naval officer, took their part. Brenton seized a vessel, which had arrived in Boston from the West Indies. The governor caused it to be released, and, when Brenton remonstrated, offered him some personal violence, which was afterwards differently described by the parties. The occasion was such as could not fail to bring Sir William into disfavor in one of the most influential quarters in England. Brenton complained to the Lords of Trade, at whose instance the Privy Council instructed the Lords of the Treasury to appoint commissioners to take evidence in New England respecting the facts alleged. But this method of proceeding was superseded by an order to Phipps to come to England.

Dec. 7.

1694. Feb 8.

He braved scarcely less displeasure by another quarrel, which he followed up with great determination. His generosity of heart disposed him to feel for the cruel fate of Jacob Leisler, who — certainly not without rashness and imprudence, nor in ways altogether proof against censure — had undertaken to follow in New York the course pursued by the wiser Massachusetts patriots in ridding themselves of the despotism of Sir Edmund. Colonel Benjamin Fletcher, who asso-

ciated himself with the ferocious party that had brought on the catastrophe, had now succeeded, as governor of New York for the King, to Colonel Sloughter, who held that place for a year and a half after Leisler's deposition. Mar. 1691–Sept. 1692.

Fletcher was as irascible as Phipps, and it did not take a long time to bring them into a violent altercation. By virtue of their respective commissions, both claimed the command of the militia of Connecticut. Fletcher pretended a right also to the jurisdiction of Martha's Vineyard, and informed Phipps that he was coming thither to assert it, — a message which Phipps answered by a sort of challenge. A man named Abraham Gouverneur, a brother-in-law of Leisler, and an underling in his ephemeral government, had been found guilty of murder in New York, but had been discharged by Governor Fletcher agreeably to instructions from England. 1692. Gouverneur went to Boston, and thence Oct. 12. wrote a letter to his parents, giving an account of an interview of his with Phipps, in the course of which, among other unfavorable remarks respecting the state of things at New York, Phipps had said, "The governor is a poor beggar, and seeks nothing but money, and not the good of the country." Fletcher intercepted the letter, 1693. and sent a special messenger to Phipps to January. demand the surrender of the writer into his hands. This was refused with insulting language, and with threats of violence to the errand-bearer.

Complaints of the governor coming from such various quarters demanded the attention of the government. Phipps sent an agent to
December. England to vindicate him against the representations of Short and Brenton, but the Privy
1694. Council thought them so serious that they
Feb. 8. despatched to him a peremptory order to come to England to clear himself, at the same time instructing the lieutenant-governor to take depositions to be used on his examination. Accordingly, after no little delay, which he excused on the ground of a call for his presence in the Eastern country, he sailed from Massachusetts,
Nov. 17. bringing to an end an unsatisfactory administration there of two years and six months.
1695. In England he was not unkindly received,
January. for in his guileless and genial temper there seems to have been a fascination which won for him more favor than he could fairly claim for any public services. He carried with him an Address with the signatures of a bare majority of the House of Representatives, praying that he might not be removed. But before anything was decided he was seized with an illness which perhaps was aggravated by prosecutions instituted against him by Dudley and Brenton, and which brought his life to an end within a few
Feb. 18. weeks after his arrival.

Meanwhile the war with the savages had been disastrously renewed, being stimulated by the Catholic missionaries from Canada, of whom the

most noted, Sebastian Rasle, had lately established himself at Norridgewock on the Kennebec. In the hamlet in Dover called Oyster River, there were twelve garrison-houses. At dawn of a midsummer day, these were assailed at one moment by a party of Eastern savages, judged to be not far from two hundred and fifty in number, led by a French officer and a French priest. Four years having passed since their last invasion, and the treaty of Pemaquid being in force, the occupants were off their guard and scantily supplied with ammunition, while most of the neighbors remained in their own dwellings; but, on the other hand, the signal of the Indians was prematurely given, and the surprise was not complete. In one house were fourteen persons, who were all massacred, and all lie buried in one grave. Another garrison-house was surrendered on a promise, which was not kept, of security to life. Three were hastily abandoned, and most of the occupants escaped. The others were defended with success. In one of them a man sent off his family by water, and remaining alone, changed his dress as he kept firing first from one window, then from another, and shouting as if he had companions. As the morning advanced, the invaders, fearful of being attacked from the neighboring settlements, retreated towards Lake Winnipiseogee, with several prisoners. They had burned five of the fortified houses and fifteen other dwellings, and the num-

1693.

1694. July 17.

ber of persons killed and captured by them amounted to nearly a hundred.

Once, at least, the savages came to Portsmouth, where, at an outlying farm, they killed the widow of President Cutt, and three of a party of haymakers whose work she was directing. Exeter and Dover, especially the latter settlement, were repeatedly ravaged. At Groton forty persons were killed and made prisoners. Kittery and Haverhill were the scene of more limited massacres.

July 21.

The help of the more powerful natives in the Western country was always coveted by the English; and a short time before the departure of Phipps, commissioners from New York, New Jersey, Massachusetts, and Connecticut met a delegation of the Five Nations at Albany. The Five Nations had by no means abandoned their hostile attitude towards the French. But they were not without their jealousies of the rival people. The conference with them had no result beyond some general assurances of good-will on their part; and without actual intervention in arms they were too remote to exert a useful influence over the tribes which threatened Massachusetts.

Aug 15.

The lieutenant-governor, on whose hands the war was left at Phipps's departure, did not want resolution to conduct it. New negotiations which were attempted proved delusive or fruitless. The scattered English posts at the East were ex-

posed and feeble, and a new succession of massacres began in the spring. Near Saco, near Pemaquid, and elsewhere, more than fifty Englishmen from the small population which had recovered its ground were killed or carried away captive. In an opposite quarter the Indians broke up the fourteen years old settlement of French Protestants at Oxford. The few Huguenot families, hopeless of a quiet residence on the exposed frontier, removed in a body to Boston. In the following winter, a party of savages presented themselves before Pemaquid, and proposed an exchange of prisoners. Yielding culpably to a not unnatural resentment, Captain Chubb, the commander of the garrison, allowed an attack upon them in which four were put to death and some others were taken prisoners. The exasperation which followed increased the activity of the enemy. At Dover they shot, close by his own house, a harmless person who had once been their captive; and presently after, as the townspeople were dispersing from their place of Sunday worship, a party of Indians fired upon them, killed three, wounded three, and laid hands on as many more, whom they carried into captivity.

1695. March. July 6. Sept. 9. August. 1696. Feb. 16. May 7. July 26.

But the marauding movements which had been keeping the detached hamlets in terror, or reducing them to ruin, were presently succeeded by a victory on a different scale. The new

June.

fort at Pemaquid, with its strength in structure, armament, and ammunition, and its garrison of a hundred men, had been thought secure. The French governor of Quebec resolved to attempt it. He despatched from that place two men-of-war, and two companies of soldiers, who on their way were reinforced at Port Royal and at the mouth of the Penobscot by some four hundred Indians. The French squadron met and engaged two English armed vessels, which were on the watch, and increased its strength by the capture of one of them. When summoned to surrender, Chubb returned a braggart reply; the French landed and invested the place; and Castine, who had accompanied the expedition, sent in a message to the effect, that if there was further delay, the garrison would receive no quarter. Chubb capitulated, with the condition that his command should be protected from harm and insult, and be sent to Boston. The French could not enforce their agreement. The Indians fell upon the English and put many to death, while the rest were withdrawn under a French guard to an island out of their reach. The victors dismantled and blew up the fortification, and set sail for Penobscot River.

July 14.

July 15.

July 18.

Chubb was tried for cowardice, and acquitted. The calamitous news created consternation at Boston. Five hundred men were immediately enlisted for a campaign at the eastward, and the

lieutenant-governor gave the command to Benjamin Church, who, if his capacity did not equal his zeal, retained the advantage of a traditional reputation. Four armed vessels were despatched from Boston to the Penobscot, but did not arrive there till the French squadron had sailed for St. John. Church led his force up the Penobscot, finding some plunder, but no enemy. Returning he met the squadron, with Colonel Hathorne, who came to supersede him in the command. There seemed nothing to be done either by land or sea against an enemy by no means so hard to vanquish as to find, and both troops and ships came back to Boston. In an Address to the King the General Court represented "the exhausted state of the province through the languishing and wasting war with the French and Indians," and prayed for orders to the several colonial governments to contribute their assistance for the settlement and fortification of Port Royal and St. John; for a supply of ammunition, and the protection of a naval force; and for aid in the reduction of Canada, — "the unhappy fountain," they said, "from which issue all our miseries."

August 3.

Sept. 3.

Sept. 28.

Sept. 24.

The winter, keeping the savages inactive, gave to the borderers its usual repose, and the approach of warm weather brought its accustomed calamities. Early in the spring the savages made a successful assault upon Haverhill. One

1697. March 15.

of the captives whom they took thence was Hannah Dustin, who had borne a child only a week before. Her husband, with their other children, had escaped. Her captors dashed out the infant's brains. They proceeded a hundred and fifty miles on their retreat towards Canada, when they told her that on their reaching one of their own camps, she would have to be stripped and run the gantlet. This inspired her with a desperate resolution. She was, with the woman who had been nursing her, in the custody of an Indian party, consisting of two men, three women, and seven children, who had also in charge an English boy, taken prisoner a year or two before. She enlisted her companion and the boy in her scheme. When they were halted in a retired spot they watched the opportunity of their keepers being sound asleep, and then, with rapid blows, despatched with their own hatchets all but two, — one of whom, a child who had been kind to them, they intentionally spared; while the other, a woman whom they supposed they had wounded mortally, revived and escaped. The heroine and her helpers found their way to her home before the end of spring, bringing the scalps of their ten victims.

June 8. The General Court expressed their admiration of the deed by a present of fifty pounds.

Exeter owed to an accident its preservation from a well-laid plot for its destruction. A

June 10. party of Indians were lying about it in

hiding-places one day, intending to fall upon it early the next morning, as was their habit. Some women, with their children, had gone a little way out of the town to gather strawberries. They had been told that it was imprudent, and some persons whose caution they had neglected fired alarm-guns to frighten them. This caused a muster of the men, and the Indians, supposing themselves to be discovered, decamped in haste. Major Frost of Kittery, a counsellor of the province, and formerly colonel of the militia of York County, was going home from the Sunday worship with his wife and a servant, when the three were fired upon and killed by Indians, who lay in ambush for him behind a log. At York, at Wells, and at Saco, the old experience of stealthy murders was again and again renewed. July.

But a greater anxiety of the time related to a different kind of operation. There was intelligence that the King of France was designing to send a strong fleet into Massachusetts Bay, and at the same time to bring fifteen hundred French and Indians into New England across the northern frontier. There was nothing improbable in the project, which was afterwards known to have been in fact entertained. The King of England was so circumstanced that he could not do much for his Massachusetts lieges, even if he cared more about them than in truth he did care. He was pressing for a peace, and, as things stood with

him, not a guinea nor an ounce of powder could be spared from his affairs in Europe. If Massachusetts was now to be taken care of, it must be by herself. The forts were repaired, manned, and provisioned. Companies of minute-men were enrolled. Five hundred men under Major March, an officer of the best reputation, were sent down to the Kennebec, which was thought likeliest of any place to be presently the seat of war. Landing at Damariscotta, he was attacked by a body of savages, whom he repulsed after a bloody fight, in which he lost twelve or thirteen men.

Sept. 9.

Sept. 20. This was a few days only before the conclusion of the treaty of Ryswick, which made peace between France and England. Intelligence of that event, which gave such relief to New England, came early in the winter. But though there were no more battles in this war, there was not yet a cessation of murders, pillages, and burnings. At Lancaster a party of Indians massacred twenty or thirty people, with their minister. They burned several houses at Andover, putting to death a number of the inhabitants, — among whom was Chubb, the recent commander at Pemaquid, — and carrying away others. One of the captives was the late governor's son, Colonel Bradstreet, who however escaped when the marauders were closely pursued.

Dec. 10.

September.

1698. February.

But the Indians had been learning that by

reason of the peace lately made in Europe, they could no longer rely on open support from their friends in Canada, and without it they could not venture to persevere in their ravages. Proposing to make a new submission, they sent delegates to Pejepscot on the Kennebec, between whom and commissioners from Massachusetts (Colonel Phillips and Major Converse) a treaty of peace was concluded, with stipulations such as they had been accustomed to make, and, as soon as they dared, to violate. If this treaty should prove more binding upon them than earlier ones, it would be because perfidy appeared less safe, or because French solicitation was less active. Beginning in the administration of Andros, this grievous war, waged by the tribes east of the Merrimac, had lasted ten years. They had taken, and either held for a longer or shorter time, or destroyed, all the settlements in Maine with three exceptions. More than seven hundred Englishmen were killed, and two hundred and fifty carried into captivity, — many of them never to return. The territory which Massachusetts had bought of the heir of Ferdinando Gorges, and been endowed with by King William, had as yet proved hers only to defend at heavy cost and with disastrous losses.

October. 1699. Jan. 7.

Within that period to which belong the closing events of the first war between Massachusetts and the allied Canadians and Indians, the commercial relations of the colonies had attracted in-

creased attention on the part of the home government. It has been mentioned that colonial affairs, which, since the middle of the reign of Charles the Second, had been in the charge of a committee of the Privy Council, were now again intrusted to a special board, the title of which,
1696. May 15. "The Lords Commissioners for Trade and Plantations," painfully indicated the policy which was to regulate colonial government. This authority addressed itself in earnest to the task of enforcing the Navigation Laws, which in New England had never hitherto had considerable effect. Randolph was at hand, maliciously anxious to furnish the board with suggestions helpful to
1697. carry out their design. It was at this time that the colonial system was reinforced by new Acts of Parliament, which, among other strict provisions, required the colonial governors to swear that they would use their utmost diligence to make the Navigation Laws effective, and gave to revenue officers in America the same powers with which they were clothed in England. Later yet was the hard law which forbade not only the exportation to foreign parts, but the con-
1698. veying into any other plantation, of any "wool or manufacture made or mixed with wool, being the produce or manufacture of any of the English plantations in America." A Windsor good-wife, crossing the line for a visit to her gossip at Springfield, could not lawfully take a ball of yarn for her afternoon's knitting.

In the province of Massachusetts (by a provision, now first made effective, of the new charter), as well as in the other colonies, Vice-Admiralty courts were established, with prosecuting and executive officers. These courts made their decisions without a jury.

It is probable that considerations incident to the commercial question both dictated the delay in filling the place vacated by Governor Phipps, and finally determined the choice of his successor. As long as the war with France was on his hands, the King would prefer to avoid the risk of displeasing his subjects in New England, who were disposed to take so active a part in it; and the provisional administration was well enough cared for by the loyal and punctilious Stoughton. When peace again brought the time for thinking of the succession, Dudley did not lose sight of it for himself, nor feel discouraged on account of his former misbehavior; for that Andros and his friends had not incurred the King's permanent displeasure by the course which had made them hated in America, had been proved by their subsequent promotion. Dudley had been made Chief Justice of New York, where he had presently the satisfaction of condemning Jacob Leisler to death, for proceedings which, though less discreet, were, as to their general character, the same as those of the Massachusetts patriots who had put an end to the government of Andros. Even before Phipps's recall, Dudley had intrigued for

the appointment to return to Boston as governor. He was not without love for his home, and that arrangement would further have promised him opportunity to gratify his revenge, while its provocations were still recent. But the English statesmen could not but be aware that in a movement in which conciliation as well as authority must have a part, Dudley was not yet, at least, the proper person for their service. Besides, he had been accustomed to the old way of the Boston merchants in transacting business, and it could not be surely known how far he would be active in correcting it, notwithstanding his present position of sycophancy. He went back to England to urge his suit, but, finding the prospect discouraging, — the more so from the resolute opposition of Constantine Phipps and Sir Henry Ashurst, now agents for Massachusetts, — had contented himself for the present with the appointment of lieutenant-governor of the Isle of Wight, from which he rose to a seat in Parliament.

The choice of a successor to Governor Phipps fell on Richard Coote, Earl of Bellomont, in the Irish Peerage. As a member of the committee of Parliament which had had under consideration a reversal of the attainder of Leisler, he had imbibed a strong dislike of Dudley, and at the same time engaged for himself the friendship of Phipps and Ashurst. In the autumn after the peace, he embarked for New York with a commission constituting him governor of that

1697. November.

province, and of New Jersey and New Hampshire, as well as of Massachusetts.

Hitherto all the governors of Massachusetts since the settlement had been either original immigrants or natives of the country. Just as its highest office was to be occupied for the first time by a person unconnected with it, Simon Bradstreet died, the last survivor of those founders who had been chosen to the magistracy before they came from England. When he emigrated he was twenty-eight years old; he lived to complete his ninety-fifth year. He had been Secretary of the colony; an Assistant forty-six years; a commissioner of the Confederacy twenty-four times; agent to England; deputy-governor, and governor; — a man hardly equal to the most difficult occasions; but patriotic, faithful, honest, and laborious, and always esteemed and trusted. The General Court voted to contribute a hundred pounds towards the expenses of his burial, "in consideration of his long and extraordinary service."

March 27.

March 31.

CHAPTER VI.

ADMINISTRATION OF LORD BELLOMONT.

The selection of Phipps to be governor of Massachusetts was expected to gratify the people of that province, and so to facilitate the introduction of their new constitution of government. Even had his administration been much more satisfactory than it proved to be, the choice of his successor would not have been dictated by the same considerations. While the new system had settled itself and was in quiet operation, the home supervision of the colonies had been changed by the transfer of it from a committee of the
1696. Privy Council to the Board of Trade, and the new functionaries naturally desired to justify and to signalize their advancement by some novelty in the energy and methods of their proceeding. Two needs of the colonies seemed to demand special attention. In the long war with France private armed ships had been much employed; by their rude navigators the distinction between privateersman and pirate failed of being always observed; and it was said that there was some resort of freebooters to the American coast, where they had advantages for eluding detection

and arrest. Again; the disappointments and disasters of the war in America had proved at what a great disadvantage the English were, notwithstanding their preponderance in numbers, by reason of their want of combination under one head. The peace just made was understood to be of uncertain duration. Against the time when hostilities should be renewed, it was prudent to provide for a better handling of colonial resources. The scheme of a general government, like that of Andros's rule, or even more comprehensive, was again and again entertained and pressed. But objections occurred, partly arising out of the charters, and it was thought that the nearest approach to a consolidation which could well be made for the present was by extending over New York and New Jersey the authority of the governor of Massachusetts and New Hampshire, and by placing him in command of the military force of all the northern colonies.

It was indeed impossible, in the circumstances, that the peace of Ryswick should be more than a truce. It was a truce of undetermined length, and of imperfectly defined conditions. The parties did not mean to bury their quarrel; they but wanted respectively a resting-time to look about them to reorganize and to recruit. The cessation from arms probably lasted longer than any of them anticipated. That between French and English the strife was only adjourned, was manifest from the first. An article of the treaty

provided for a mutual restitution of "all territories, islands, forts, and colonies, wherever situated," to the power which possessed them before the war. The limits of Acadia were not described. The French always held that that province, which now reverted to them, was bounded on the west by the Kennebec; the English maintained that their possession extended eastward to the St. Croix, and that accordingly all between the Kennebec and the St. Croix was now part of Massachusetts. The same contradictory interpretations included the right to the allegiance of the Indians within the disputed territory, and the right to take fish along its coast and among the neighboring islands. Villebon, the French governor of Acadia, gave formal notice to the government of Massachusetts that he was instructed to assert by force his master's claim in these particulars. It was especially with reference to this controversy that the home government was at different times so urgent with Massachusetts to keep up the fort at Pemaquid, so as to command the river Penobscot.

1698. Sept. 5.

It was seven or eight months after Lord Bellomont left England before he landed at New York, adverse weather having driven him off to the West Indies. He had doubted to which of his governments he should repair first. He had learned in London that "the merchants and others belonging to New England did little stomach the discourse that had been about the

April.

town of his going first to New York, as if the people of New England (who are the bigger body of people, and far more considerable than the others) were thereby slighted." "Therefore that they might not take it ill of me," he writes in a memorial to the Board of Trade, "I think it absolutely necessary to have the direction of your Board, or of the Lords Justices, to which of those provinces I am first to go. The reasons hinted to me by the Lords Justices for my repairing first to New York are chiefly two; namely, New York's being a frontier, and my being to supersede the present governor thereof."

1697. Aug. 26.

Under the lieutenant-governor of Massachusetts affairs proceeded in so satisfactory a train, that the superior magistrate did not consider his immediate presence there to be needed, and he remained at New York a full year, conducting meanwhile an active correspondence with Stoughton. As soon, however, as he came to Boston, where he was received with a warm and generous welcome, it was evident to what party his sympathies inclined. In England, while he was a member of the House of Commons, he had, as has been said, taken an active part in proceedings against Dudley for his malicious treatment of Leisler. Influenced more or less by this resentment, he was inclined to treat Stoughton with coldness as Dudley's partisan, and to confide in Elisha Cooke and his friends.

1699. May 26.

The business of immediate interest at the time of the arrival of Lord Bellomont in Massachusetts related to the existing judicial system of the province. It has been related that in the first year of the organization under the new charter an Act had been passed by the General Court,

1692. Nov. 25. "for the establishing of judicatories and courts of justice within the province." When the three years were about to expire to

1695. Aug. 22. which the King's right to abrogate the laws was limited by the charter, his Privy Council went to work on the early provincial legislation; and among the thirteen Acts which its wakeful jealousy disallowed out of the thirty-five passed at the second session of the first provincial General Court, was the Act "for the Establishing of Judicatories." The objection to it was that it restricted the right of appeals to the Privy Council to personal actions involving a sum exceeding three hundred pounds.

Being informed of this, the General Court pro-

1696. Oct. 3. visionally re-enacted their law with the exception of the obnoxious clause, and of the provision for establishing a Court of Equity.

1698. Nov. 24. This Act in turn was disapproved by the Privy Council, for an alleged reason which seems either not weighty or else not perspicuously expressed. It is not unnatural to think that what in fact influenced the Council was the peculiarity of the language in which the General Court had withdrawn the exceptionable enact-

ment. The new law did not invest the suitor with an unlimited privilege of appeal, which was what the English Ministry wanted. It "declared void, and of none effect, the section or paragraph of the said Act providing for liberty of appeal unto his Majesty in Council," thus withdrawing the question of appeal under whatsoever conditions, and leaving the General Court unsustained indeed by the crown in the qualification which it had sought to obtain, but, on the other hand, uncommitted by any action on its own part to an abatement of its claim to complete exemption.

The General Court tried again. They passed an "Act for Establishing of Courts," which went more into details, but was substantially the same as that of five years before. It renewed the provision restricting appeals to England to cases of pecuniary importance. It was hoped, perhaps, that the Privy Council would rather on reflection have an express grant of appeals, though a limited one, than have the whole question remain open; and the lieutenant-governor and Council sent to the King a "Representation and Address relating to appeals, and praying to be continued in the enjoyment of all those privileges granted in the royal charter." This Act too was, however, disallowed in England, for the alleged reason that, inasmuch as it granted the right of trial by jury in all cases, it took away the option given

1697. June 19.

1698. May.

Nov. 24.

by English law to custom-house officers, respecting trial by an Admiralty Court which has no jury, and so interfered with a vigorous enforcement of the Navigation Laws. The Superior
1699. Court, which was engaged in a trial when
April 26. intelligence to this effect was received, immediately dissolved itself. It is likely that this movement hastened Lord Bellomont's journey to Massachusetts, and that an anticipation of it was the cause of the General Court's urgency when
1698. they sent to New York an Address pray-
Nov. 22. ing that he would "be pleased to favor the province with his presence . . . . . so soon as the season of the year might comfortably admit his undertaking so long and difficult a journey."

He came accordingly in the following spring,
1699. and in his first speech to the General Court
June 2. advised a re-enactment of the law for constituting courts, with an omission of the obnoxious
June 26. provision; and that step was immediately taken, so far as that all reference to appeals was avoided, and that question was relegated to future consideration. Certain chancery powers were at the same time given to that court and to the Court of Common Pleas, and it was now declared that the Superior Court was to have jurisdiction "as fully and amply, to all intents and purposes whatsoever, as the Courts of King's Bench, Common Pleas, and Exchequer, within his Majesty's kingdom of England, have or ought to have." Admiralty powers, which, under the

colonial charter, were exercised by the Assistants, had, under King William's charter, been reserved to the crown, which, through the Lords Commissioners of the Admiralty, proceeded to constitute a Court of Vice-Admiralty for New England and New York, with a King's Advocate, a Registrar, and a Marshal. The common-law courts claimed a right as recognized by the charter, and confirmed by the law, to revise the decisions of the Admiralty Court, which had the important function of trying offences against the Laws of Trade; and this conflict of jurisdiction finally led to important complications. 1698.

Affairs in Massachusetts were in competent hands, and could proceed satisfactorily without the governor's personal attention. New York was torn by factions, and never free from danger from the excitable Indians on the western frontier. Lord Bellomont remained in Massachusetts only fourteen months. He was esteemed to be good-natured, and not ungenerously disposed towards the people whom he came to rule. For his short service the General Court made him grants amounting to nearly two thousand pounds sterling; a greater liberality than was ever shown to a governor of Massachusetts, before or since his time. They overrated the extent of his friendship for them. They might have been less liberal had they known of his writing home that in his government he wanted persons, employed in the King's service in all 1700. June.

ranks, from high to low, to be "not men of the country, but Englishmen." He died in New York before the end of the year after his return thither; happy, perhaps, to escape the unjust reception which was awaiting him in England, on account of his connection with Lord Somers. He was honorable, frank, and sensitive, perhaps overconfident, perhaps not without arrogance. The sight of knavery in others enraged him, and he could not endure to be himself suspected of any indirection.

1701. March 5.

While he was in Massachusetts, Lord Bellomont used laudable diligence in preparing himself to make reports to his superiors on the condition of his province; but, as was to have been expected from his own want of acquaintance with the country and the little time he had for inquiries, the information which he communicated was by no means exact. He informed the Lords of Trade that the Eastern tribes had not above "three hundred fighting men," yet that they had broken up a thousand families of English settlers. He represented that "the province of Maine, a noble country, had been destroyed in the late war," and that there were "no thoughts of repeopling it; the people were not public-spirited enough." He distinguished a portion of the Council as "the sour part." He reported them as saying that "they were too much cramped in their liberties already," and he complained that a Bill relating to piracy,

1699. Aug. 28.

especially a clause punishing it with death, "would not go down with them by any means." He had had a sharp dispute with the Council about their alleged right to a share in the appointment of certain officers. Sir William Phipps had been weak enough, he said, to yield that point to them; and Stoughton had done the same, though not without a protest. A present of a thousand pounds of the provincial currency, made to him by the General Court, he said, was equivalent to no more than seven hundred pounds sterling, whereas, before leaving England, he had been led to expect a regular salary of twelve hundred pounds. "I never did," he writes, "nor ever will ask them anything, and it troubles me that I am on so precarious a foot for a salary for this government." Aug. 28. This complaint being communicated by the Lords of Trade to the agent of Massachusetts, Sir Henry "said he believed the Council and the Assembly would not consent to settle a salary upon all governors for the future; but that if his Majesty should be pleased to write to them, or if this Board should do it, he doubted not but that they might be persuaded to settle a suitable salary upon the Earl of Bellomont during his government." 1700. Jan. 31.

The reader remembers that one consideration which had had weight in the selection of Lord Bellomont for the chief administration in America related to the piracies believed to have been com-

mitted by vessels equipped in or resorting to the ports of that country. Already, before his lordship's arrival, Stoughton had instituted inquiries respecting these crimes. A ship of three or four hundred tons, called the *Adventure*, came in suspicious circumstances into Narragansett Bay. Taking alarm at some circumstances of their reception, the crew landed and dispersed into the country. The captain, named Bradish, and ten others, were arrested in Massachusetts. From them it was learned that the ship, then mounting twenty-two guns, had a year before sailed from Gravesend for Borneo, on a trading voyage for some London merchants; and that, after they had been six months at sea, part of the company, twenty-five or twenty-six in number, conspired to seize the ship, left the master with the rest of the crew and passengers on an island, and chose the boatswain's mate to be their captain. After a division of the plunder, which yielded to each more than fifteen hundred dollars in money, besides a share in other valuable property, they sought a place where they might land and disperse without observation. At the end of a year from their going to sea, the rovers had made a port at the east end of Long Island, where they had deposited some of their booty, while they should make further observations. Proceeding thence to Block Island, they took the alarm which occasioned their dispersion and flight.

1698. March 16.

1699. March 19.

In respect to another criminal, the vigilance of Lord Bellomont was stimulated by a personal interest. William Kidd was the pirate whom he was especially desirous to get into his hands. Four or five years before, the governor had become interested in an enterprise for clearing the Eastern seas of piratical cruisers which were preying there on European commerce. In London he became acquainted with Colonel Robert Livingston, of New York, and took "occasion to mention to this gentleman the scandal which lay upon New York in respect to the encouragement and retreat which pirates found there." At a subsequent interview, Livingston "said he had spoke with one Captain William Kidd, lately come from New York in a sloop of his own upon the account of trade, who told him that he knew most of the principal men who had been abroad roving, and divers who had lately gone out, and likewise had some knowledge of the places where they usually made their rendezvous, and that he would undertake to seize most of them, in case he might be employed in one of the King's ships, a good sailer of about thirty guns, and might have a hundred and fifty men. . . . . Livingston affirmed that Kidd was a bold and honest man. . . . . The King was made acquainted with the proposal by the Earl of Bellomont, which he was pleased to think very necessary to be immediately considered, because about that

time divers informations upon oath had been sent to the Secretary of State of several vessels gone and a-going from Bermuda, New York, Rhode Island, etc., upon piratical designs. . . . . His Majesty was pleased to consult the Admiralty on this occasion, but the war employing all the King's ships which were in a condition for service, and the great want of seamen, notwithstanding the press and all other means used, together with the remoteness of the voyage, and the uncertainty of meeting with the pirates, or taking them though they might be found out, occasioned after some deliberation the laying aside of this project as impracticable at that time." Lord Bellomont then proposed the fitting out of a privateer, which he insisted would prove a profitable speculation. This enterprise he succeeded in carrying into effect. Several of the first men of the kingdom, the Earl of Oxford (first Lord of the Admiralty), Somers (Lord Chancellor), the Duke of Shrewsbury, the Earl of Romney, took shares, and the King was to have a tenth part of the profits of the cruise. Kidd obtained a commission under the Great Seal for his ship, and went to sea from Plymouth with a small crew. He crossed to New York, whence, having there, with Governor Fletcher's help, increased his company to the number of a hundred and fifty men, he sailed for the Eastern seas.

1696. April. September. 1697. February

But either Kidd had been a rogue from the

beginning, or the new temptations which he encountered were too much for his little virtue. The times of Drake and Hawkins were not distant, and the morals of the seas were still unsettled at the best. Madagascar and Borneo were a great way from the country where English evil-doers might be called to account, and there were richer prizes along their coasts than the paltry vessels of their native thieves. Kidd was not long in seeing that his good ship would be less gainfully employed in hunting pirates than in piracy. At first he was timid, if he had ceased to be scrupulous, and he contented himself with taking the ships of Asiatics, whose sovereigns would not be likely to bring their complaints to the ear of his. But "use lessens marvel." Presently he became the terror of the Indian commerce of the Portuguese. As he grew reckless, he grew savage. He landed with his brutes for expeditions of burning and massacre. He scourged his prisoners to make them declare where their rupees were hidden. When the news of his doings came slowly to London, the merchants were concerned for what had been done, and distressed by fear lest their turn should come next. The members of the East India Company were aghast in view of the retaliation to which such freedoms on an Englishman's part might expose their feeble factories. The Lords of Trade sent orders to those in authority in the foreign possessions of Eng-

1698. August.

land to keep a lookout for the ravager. Lord Bellomont's past agency in Kidd's behalf imposed on him a peculiar responsibility. The matter had assumed a high political importance. The jealous mood of England, at the time when Parliament had refused the King's request to retain his Dutch guards, and was meditating an impeachment of Lord Somers, fastened upon Kidd's crimes as a means of bringing odium on the Whig leaders. In the House of Commons a resolve was proposed, and defeated by a majority of less than fifty votes, that the affixing by Somers of the Great Seal to Kidd's letters-patent was "dishonorable to the King, inconsistent with the law of nations, contrary to the statutes of the realm, and destructive of property and trade." Even the King's august name was brought rudely into the question, as if he had been a stockholder in a pirate ship.

With marvellous rashness, since he must have erroneously assured himself that there had been no talebearer, Kidd came back with some of his spoils to an English colony. He appeared in Delaware Bay with about forty comrades, and having taken some supplies proceeded to Rhode Island, whence he sent a messenger to Lord Bellomont, who had then just arrived in Boston, to say that "he was come thither to make his terms in a sloop, which had on board goods to the value of ten thousand pounds, and was able to make his innocence appear by many

1699. May.

witnesses." The governor feared that the culprit might yet escape. With the advice of his Council, he sent a message to Kidd that "if he would make his innocence appear, he might safely come to Boston." Thither, accordingly, Kidd came in his sloop. After an unsatisfactory examination before the governor and Council he was June 1.
"committed close prisoner with divers of June 6.
his crew." The governor transmitted his minutes of the examination to the Lords of Trade, and asked that a ship of war might be sent to
convey the rover to England for trial, July 8.
there being no provincial law for punishing piracy with death. He was tried at the Old 1701.
Bailey for murder and for piracy, found May 8.
guilty under both indictments, and executed.

The murder was that of one of his sailors, whom, provoked by rude language, he had struck with a mortal blow. The piracies specified on the trial were the capture and robbery of a ship named the "Quedah Merchant," owned by Armenians, commanded by an Englishman, and navigated by a Moorish crew; of three Moorish vessels, one of them having also an English and another a Dutch captain; and of a ship of Portugal. It appeared on the trial that, after the capture of the "Quedah Merchant," Kidd had transferred himself to her with part of his crew. On his return voyage, he had left her with some twenty of his men in the West Indies, and there had bought the sloop in which he came to New England.

In the latter part of the time of Lord Bellomont's stay in Massachusetts, the Indians divided his attention with the pirates. The recent peace with the Eastern tribes had inspired confidence, and the English who had fled from Maine were returning to reinstate their ravaged dwellings, when a report was spread that those tribes had made another conspiracy so extensive as to include even the Iroquois, and the remnants of the nations in the more compact English settlements.

1700. Jan. 29. The governor of Connecticut wrote to Lord Bellomont that he had information to this effect on such authority as to justify vigilance. At the same time, a rumor got into circulation among the Indians that the whites had resolved upon their extirpation, and were all but ready to strike the blow; and this apprehension of theirs lent probability to the story that they were preparing for new disorders. The governor, believing the danger to be real, issued his proclamation, enjoining upon the people to abstain on the one hand from all offensive or questionable conduct, and on the other to observe their savage neighbors, and take precautions for defending themselves, in case of any outbreak. He

March 13. even proceeded to convene the General Court, which took vigorous measures of precaution. Laws were passed for raising and equipping troops, for punishing mutiny and desertion among them, and for marching them out of the province at the governor's discretion; and

small garrisons were posted at three or four places in the western part of Maine. But either there had in fact been no danger, or these proceedings averted it. The natives remained quiet, and the alarm passed away, having continued through nearly all the year.

Boston is believed to have contained at this time more than a thousand houses, and more than seven thousand inhabitants. At the capital especially, what remained of the primitive religious strictness could not fail to be relaxed by the extension of commercial activity, as well as by the influence of that provision of King William's charter which detached the political franchise from church membership. The only place of worship in Massachusetts of the English establishment had had a hard struggle for life against the passionate dislike of the people; its supporters had been dispersed, and its minister had gone home discouraged, at the time of the recent revolution; and it recovered with difficulty from the disrepute contracted by its connection with the usurpation of Andros. Lord Bellomont, the first governor, except Andros, attached to its communion, attempted to revive it in Boston. He brought from England a present from the Bisnop of London of a collection of books for the Boston church, and an assistant for the rector, Mr. Myles, who had succeeded to the place of Randolph's friend, Ratcliffe. The assistant, dying in the West Indies on the voyage, was followed

by another, Mr. Bridge, who held the place some eight or nine years. The governor, while in Boston, worshipped at King's Chapel on Sundays, but he did something by way of amends by a regular attendance at the weekly Thursday
1699. lecture of the First Church. He wrote
Oct. 24. to the Lords of Trade that some persons in New England desired "a Church-of-England minister," and expressed his hope that they would "patronize so good a design." In the temper of England, at that moment especially, the patronage of the Board for that good design
1700. did not need to be solicited, and they in-
Feb. 2. terested themselves with the Bishop of London to obtain for the colonists the advantage of ecclesiastical supervision.

A transaction much more important than these in the religious history of the time related to an abatement of the ancient rigor of Congregational administration. A fourth Congregational church in Boston was established upon principles extremely distasteful to the friends of the old order of the churches. Most, if not all, of the *undertakers*, as the associates in this enterprise were called, were persons of substance and of social consideration, though none were high in office. In their form of worship they proposed no deviation from the existing practice, except in respect to the reading of the Scriptures without comment, which — probably on account of its being prescribed in the English rubric — had hitherto not been prac-

tised in the churches of New England. But the great changes, which, to the extreme displeasure of the leaders of religious opinion, they introduced into their own use, were such as struck at the foundation of the dignity of church-membership. Hitherto, in the churches of New England, the practice was for a candidate for admission to the privileges of communion to give an account in public of his personal religious experiences; the terms of admission to baptism, though they had been modified, were still strict; and the church (the body of communicants) invited and contracted with a minister, whom the body of worshippers was then compelled to support according to the terms which the church had made. The projectors of the "Church in Brattle Square," in a "manifesto or declaration" which the clamor around induced them to publish, 1699. Nov. 17. professed that they "dared not refuse baptism to any child offered by any professed Christian, upon his engagement to see it educated, if God gave life and ability, in the Christian religion. But this being a ministerial act," they thought it "the pastor's province to receive such professions and engagements. . . . . We judge it fitting and expedient," they continue, "that whoever would be admitted to partake with us in the Holy Sacrament be accountable to the pastor, to whom it belongs to inquire into their knowledge and spiritual state, and to require the renewal of their baptismal covenant. But we assume not to our-

selves to impose upon any a public relation of their experiences. . . . . Finally, we cannot confine the right of choosing a minister to the communicants alone; but we think that every baptized adult person, who contributes to the maintenance, should have a vote in electing." At the same time they declare that they "approve and subscribe the Confession of Faith put forth by the Assembly of Divines at Westminster"; that they "design only the true and pure worship of God, according to the rules plainly appearing to them in his Word"; and that it is their "sincere desire and intention to hold communion with the churches here, as true churches."

This movement — or rather, it may be said, the state and tendency of public opinion which it indicated — increased the alarm already felt by the friends of the ancient order of things for the safety of the College, and urged them to measures for keeping it under their control. On the return of Increase Mather from England with the provincial charter, he had resumed his former position as President. The old charter of the institution was understood to have expired with that of the colony by which it had been con-

1692. June 27. ferred. It was at President Mather's instance, that the Provincial General Court at its first session passed an Act incorporating the College anew, with an organization materially changed. Under the ancient system, the Col-

lege corporation consisted of a President, Treasurer, and five Fellows, who governed the institution under the supervision of a *Board of Overseers*, composed of the Governor, Deputy-Governor, and Assistants of the colony, with the Congregational ministers of Boston and of the six adjoining towns. The present Act created a corporation consisting of ten persons, who were to govern the institution without responsibility, no provision being made for any body of visitors. The new corporation organized itself, and discharged its functions for three years, at the end of which time came a notification that the King had disapproved the Act, on account of the absence from it of a provision for a Board of Visitors. The institution was now dead in law. Governor Stoughton took the responsibility of making a provisional arrangement by reinstating the administration which had existed under the old charter. The General Court made a new attempt. Under the influence perhaps of such as desired to make the most of the time when a zealous friend of the old ecclesiastical order was at the head of the administration of the province, and when he might be superseded at any moment by a governor differently disposed, they passed an Act creating a corporation of sixteen (afterwards changed to seventeen) persons, including a Vice-President, — a new office, which the Reverend Mr. Morton was designated to fill.

1695. Aug. 22.

Oct. 12.

1697. June 4.

The official term of a Fellow was to expire at the end of ten years, and the governor and his Council were to be Visitors. President Mather and his son (also a member of the new corporation) were far from being pleased with this last arrangement, representing, as they did, the conservative school of clergy, whose power they did not think sufficiently secured.

This Act remained without the royal assent
1699. when the Earl of Bellomont came to Bos-
June 2. ton. He introduced the subject in his first message to the General Court, recommending an application to the King for a charter. The King's scruple had been the provision for the exercise of the visitatorial function, which, unshared with the Council, he chose to exercise himself through his
July 13. governor. The General Court yielded this point. By a new Act they gave the power of visitation "to his Majesty and his governor and commander-in-chief for the time being of this province"; but they provided that five Fellows of the Corporation should always be persons elected from the Council. The influence of the President and his friends had also prevailed to introduce the novel provision "that no person shall be chosen and continued President, Vice-President, or Fellow of said Corporation, but such as shall declare and continue their adherence unto the principles of reformation which were espoused and intended by those who first settled this country and founded the College, and

have hitherto been the profession and practice of the generality of the churches of Christ in New England." The governor objected to this exclusion of members of the English establishment from the academical government. He arrested the Act, and "advised to address his Majesty for a royal charter of incorporation." The suggestion having led to nothing, — for the General Court were reluctant to allow the necessity of committing everything to the royal pleasure, — the governor renewed it the next year. The Council passed a vote to carry it into effect, but the Representatives still preferred to frame a charter for the King's consideration. The two branches agreed upon a "Draught of a Charter of Incorporation for Harvard College . . . . . to be humbly solicited for to his Majesty." The care of it was intrusted to Lord Bellomont, with a request for him to use his interest in England for its adoption, which one of his letters shows that he was entirely disposed to do. But he did not live to bring the matter to the notice of the King.

1700. June 11. July 12. July 15.

Perhaps he died of sheer disappointment and mortification, for he knew how he was maligned in England, and the King's ministers, who should have been his vindicators, had given him recently no sort of attention. He wrote from Boston a week before his departure thence "in the anguish of his soul." "I put the best face I

July 9.

can on it," he said, "but I never in all my life was so vexed and ashamed as now." After he went to New York, and still more completely after his
1701. death there in the next year, the local ad-
March 5. ministration again devolved on Stoughton, as lieutenant-governor. Stoughton survived his superior by not many months. A token of popular approbation, of a kind to which he had not been used, came to cheer his last solitary days. The House — perhaps in a sudden access of goodwill for an old servant often visited with the popular rebuke, perhaps from a really grateful sense of his recent commendable services, perhaps from no kinder motive than was supplied by an apprehension of having Dudley for their ruler — resolved to send a petition to the King, for
April 18. the appointment of Stoughton to that office. But the Council refused to concur in the measure. Stoughton's health was failing. He presided at the opening of the next General Court; but, while its business was yet unfinished, was forced
June 30. to prorogue it for a month, "being incapable, by reason of sickness, of further affording his presence in the Assembly, or of admitting of their
July 7. going to him." Before the month was out, he died in Dorchester, where he had passed
1632.
May. his joyless life, having been born there in the second year after the great immigration.

He had filled many offices, and performed their duties with a surly assiduity, which commanded a certain sort of esteem. He perhaps loved no-

body, though the winning as well as commanding powers of Dudley may have blended something of affection with the deference into which he was subdued by the genius of that highly endowed man. On the other hand, if he was not loved, Stoughton was not of a temper to be made uncomfortable by isolation, while it was a pleasure to him to feel that he had some command of that confidence which men repose in such as they see to be indifferent to their good-will, and independent of it, as coveting nothing which it has to bestow. When his constituents were angry at the result of his mission to England, he did not distress himself for their displeasure, but waited patiently for it to subside; and when they solicited him to go a second time on the same errand, he told them, with no warmth and no reflection on the past, that they could not have his services. While, like every landholder in Massachusetts, he was frightened at the excesses of Andros, he had little enthusiasm for the rising by which Andros was expelled. The prosecution of the witches was a proceeding quite to his mind; the "stern joy" of inflicting great misery under the coercion of an unflinching sense of duty was strangely congenial with his proud and narrow nature; he had a special relish for that class of duties which, bringing wretchedness on others, may be supposed to cost the doer a struggle against the remonstrances of pity. When, sympathizing with the almost universal sorrow and remorse that succeeded the

witchcraft madness, his gentle associate Sewall publicly bemoaned his sin, and in agony implored the Divine forgiveness, Stoughton professed that, whatever mistakes might have been made, he saw "no reason to repent of what he had done with the fear of God before his eyes." While, on the one hand, his habitual unconcern about popular favor generally gave him the command of as much of it as he cared for, he was helped, on the other, by the friendship of the clergy, which he took as much pains to secure as he ever thought it worth while to bestow for any amiable purpose. If the people did not want him, he could be content; at all events, he would not complain or solicit; if they did want him, he would serve them without fraud and without ambition, but it must be after his own dreary fashion, — a fashion to be dictated, as the occasions arose, not only by his judgment and sense of duty, but by his prejudices and his temper. He meant to be excellently firm; he excelled in being churlish, wilful, and obstinate, in a style of the most unexceptionable dignity.

The Board of Trade had not been satisfied with the recent conduct of Massachusetts. They had not been able to prevail upon that province to undertake the expense of rebuilding the fort at Pemaquid, notwithstanding their having pressed it with urgent repetition. The General Court, resenting the renewed activity in enforcing the Acts of Navigation, which they regarded as unjust and heavily oppressive, had refused to pass laws de-

sired in England for the more rigorous execution of those Acts; they were, they said, "as much Englishmen as those in England, and had a right, therefore, to all the privileges which the people of England enjoyed." The Board were informed by an official person, writing from Boston, "that he feared the government of Boston had complained of him for publicly exposing one of their clergy, who maintained that they were not bound in conscience to obey the laws of England, having no representatives there of their choosing." The Board wrote to Lord Bellomont: "The denial of appeals is a humor which prevails so much in proprietary and charter plantations, and the independency they thirst after is now so notorious, that it has been thought fit those considerations and other objections should be laid before the Parliament."

1701. December. April.

In fact this had been done, and the three New England charters were in serious danger. The Lords of Trade had represented to the King that the chartered colonies "had not only assumed the power of making by-laws repugnant to the laws of England and destructive to trade, but they refused to transmit their acts, or to allow appeals, and continued to be the retreat of pirates and illegal traders, and the receptacle of contraband merchandise"; that "these irregularities, arising from the ill use they made of their charters, and the independency they pretended to, evinced how necessary it became, more and more

March.

every day, to introduce such a regulation of trade, and such an administration of government, as should make them duly subservient to England"; and that "since the royal commands had not met with due obedience, it might be expedient to resume their charters, and to reduce them to the same dependency as other colonies, which would be best effected by the legislative power of the kingdom." A Bill was accordingly submitted to the House of Lords, pretending to annul the charters, and to invest the King with the same power in the chartered governments as in New Hampshire and the others which possessed no such security. A similar measure was urged upon the Commons. What would have followed, had it come now to a vote, can be only conjectured; but the exciting question of the impeachment of the King's friends was pending in Parliament, and the movement could not obtain attention. The King's death and the new interests thereby presented, postponed the revival of it; but it was only two months before that event that the Board laid before him their opinion that "the national interest required that such independent administrations should be placed, by the legislative power of the kingdom, in the same state of dependency as the royal governments."

1702. March 18.

January.

After the death of the governor and the lieutenant-governor, the Council, by a provision of the charter, became the chief executive authority of Massachusetts. There now appeared a pros-

pect that Joseph Dudley's ambition to govern there might be gratified. He had been industrious in endeavoring to remove those discouraging obstacles to his promotion which have been mentioned. New York was no sphere for him, and the satisfaction which he had had in bringing Leisler to the gallows, for proceedings bearing some resemblance to those of the Massachusetts patriots against himself and his friends, was more than balanced by the apprehensions which followed it when the party of Leisler revived. After a few months passed in New York as Chief Justice, he returned to England, and there employed all his powers of address to recommend himself to men in power, and to conciliate the dissenting ministers who might make peace for him in Massachusetts. Disappointed by the persistent opposition of Constantine Phipps and Ashurst, the agents, in his hope, first of displacing Sir William Phipps, and then of succeeding him at his death, he became lieutenant-governor of the Isle of Wight, under Lord Cutts, whose friendship he had secured; and in Parliament, where he had obtained a seat, his superior capacity, indefatigable diligence, and engaging manners obtained for him no small consideration. If his pride was enormous, still, unless when his violent passions were roused, he had a will strong enough to bridle his pride, if it threatened to obstruct his ambition.

Lord Bellomont's death revived his hopes. The Mathers had shared and stimulated the hot

resentment which had driven him from power in Massachusetts. But the father was at the head of the clergy of the province, and the son was the most active of men, whether as partisan or as foe. Their weaknesses were familiarly known to Dudley, and he managed with patient assiduity to bring them over to his side. The two agents in England understood him, and continued to loathe him in their hearts. But he showed to them at least no anger for their triumph over him in the appointment of Lord Bellomont, and by the time when the vacancy again occurred, Ashurst had withdrawn from the agency, and Phipps had been brought to think that, among the untried candidates for the succession, the colonists might do worse than by favoring their able compatriot, upon whom, it might be hoped, so much hard experience would not prove to have been thrown away. If no trust could be placed in his virtue, his selfishness might be confidently counted on, and in future it might prompt to better services. An active member of Parliament was not without opportunities to oblige, or at least to compliment and to encourage, the dissenting ministers, whose cause, throughout William's reign, was in a condition at once critical and hopeful. The judgment of the dissenting ministers of England was of the greatest weight with their brethren in Massachusetts, and Dudley at length got it in favor of his coveted advancement. He voted for Onslow, put forward by the

court for the place of Speaker of the Commons, though he was under what are called obligations of gratitude to Harley, the opposing candidate. The King, knowing how he was hated in Massachusetts, was unwilling to appoint him. But Dudley produced a petition in his favor, purporting to be from Massachusetts men then in London, and from merchants trading with that province. Finally he placed in the King's hands a letter from Cotton Mather, authorizing him to affirm that "there was not one minister nor one of the Assembly but were impatient for his coming," — a strong statement, which might be wondered at if it came from some other source.

The House of Representatives had resolved on sending a special agent to England. The ostensible object was to obtain a charter for the College, and to represent the uneasiness felt in Massachusetts on account of the French claim to the Eastern country and the fisheries on the Eastern coast. But there is no doubt that the immediately urgent motive was to obstruct the elevation of Dudley. Elisha Cooke, the opponent of President Mather in respect to the new charter, was now the most powerful man in the General Court. The President, who in England had been flattered with much attention in high circles, was extremely desirous to be employed in this agency. Cooke's old grudge or permanent distrust determined that the President should not be gratified. While Mather was urging and

Cooke was counteracting, Dudley had convenient time for his operations in England. Wait Winthrop was at length appointed to be agent, but, just as this was done, news came of Dudley's appointment to be governor. The vote which had been passed for instructions to Winthrop was then reconsidered, and the project of sending him was dismissed. The needs of the College and the apprehensions from the French were no longer thought so serious as to require immediate attention.

The King's sudden death before Dudley was prepared to leave England made it necessary for him to receive a new commission. But there was now no rivalry for the post, and the commission
1702. March 10. was issued on the second day of the new monarch's reign. Dudley was fifty-seven years old when, convoyed by two armed vessels,
June 11. he came back to the place associated in his memory with events of such various interest.

CHAPTER VII.

NEW HAMPSHIRE, CONNECTICUT, AND RHODE ISLAND.

The relation which of late years had subsisted between Massachusetts and New Hampshire was inconvenient and vexatious to both parties. The four feeble settlements which collectively were known by the latter name lay close to and between some of the towns of Massachusetts, but, forming another jurisdiction, were beyond her protection or control when they were in danger or in disorder. When a band of Indian marauders was passing between the towns of Massachusetts on the Merrimac and her towns in Maine, she had to chase them through the territory of a different government. Her vessels going into the river Piscataqua were subject to be visited by the custom-house officers of another jurisdiction. To New Hampshire this separation was still more disadvantageous. The connection with Massachusetts had been uniformly and unexceptionally beneficial to her. The sister colony had afforded an effective defence, and its government had been honest and generous. There had been parties and cabals among the New Hampshire people, but, as often as there had been oc-

casion for their deliberate sense to be expressed, it had always proved to be in favor of incorporation into the chief colony of New England.

Two influences had all along more or less obstructed this arrangement, and both were in action at the time when King William gave to Massachusetts her second charter. From the earliest period of the importance of that colony, the English statesmen — not excepting those of the Commonwealth — had been jealous of her growth. Occasionally it was unavoidable for them to allow weight to considerations which had another bearing. When they wanted the border towards New France to be watched, when they wanted garrisons in Nova Scotia and a fortress at Pemaquid, they had to choose between charging this expense upon the royal treasury, or devolving it upon Massachusetts by including within her territory the country which required to be secured; and proceedings sometimes dictated by this calculation appeared to indicate sentiments more favorable to her than in truth were entertained. In general, whoever was in power in England, — whether it was Clarendon or Vane, Danby or Somers, — there was a disposition to disable and humble Massachusetts, as the representative and main-spring of a power which might grow in its pretensions as long as it should be suffered to mature in strength.

The claim of John Mason and of his heirs and

assigns to lands on the Piscataqua, founded on alleged grants of the Council for New England, though always disputed by Massachusetts, had been regarded with some favor by the English courtiers and lawyers. Mason had been declared to have a valid claim to more or less territory on that river, but it was not admitted that he, like Gorges, had received authority to govern the country which had been granted. Mason's rights, whatever they were, had been inherited by his grandson, Robert Tufton, who took the name of Mason, and who died while one of the counsellors of Andros.

The expulsion of Andros deprived New Hampshire of a government. Some of the principal men summoned a convention of delegates from the towns, to consult respecting the measures required by the necessity of the time. At 1690. January. a second meeting the convention resolved Feb. 20. to apply to Massachusetts to be received again into her jurisdiction. The request was complied with, and members for the New Hampshire towns sat in the General Court of Massachusetts, and civil and military officers, displaced under the recent order of things, were recalled to service.

Meanwhile the claim of Robert Mason had passed, by his death, into other hands. 1688. September. Two sons, who inherited his property, 1691. April 27. sold their interest in New Hampshire for seven hundred and fifty pounds, to Samuel

Allen, a London merchant. A daughter of Allen was the wife of John Usher, who may be supposed to have advised the purchase. It was he who, some years before, had bought Maine of Gorges for Massachusetts. From his father, Hezekiah Usher, a man of moderate consequence in the colonial times, he had inherited some fortune, which he had increased by successful business, first as a bookseller and afterwards in foreign trade. He had been a counsellor under the presidency of Dudley, and counsellor and treasurer under Andros. Allen bought Mason's rights, whatever they might prove to be, in New Hampshire, while Mather and his colleagues were soliciting the charter of Massachusetts, and were urging the expediency of including New Hampshire within that province. When their prayer was denied, and it was determined to set up New Hampshire again as a royal prov-

1692. March 1. ince, Allen naturally aspired to be the governor. He was accordingly appointed to that office, with Usher for his lieutenant, to

Aug. 11. administer the government in his absence, a trust which Usher presently assumed on the spot. The chief magistrate was to be assisted by fifteen counsellors, of which number nine persons, residents of the towns, were nominated in the original commission; the governor was to propose the others after obtaining further information. Usher understood that the people continued to be indisposed to acquiesce in the

settlement which had been made, and were "presenting their petition to their Majesties that they may be joined to the Massachusetts government." But rather than this should be done, he Oct. 29. advised the Lords of Trade that it would "be for their Majesties' interest and security of the people" to place the whole of New England under one general governor. "Otherwise," he added, "I hope their Majesties will dismiss me from this little government, who by their poverty are not able honorably to support itself."

Their poverty was undeniable, but it was far from being their only distress. The reader wonders at the courage and hopefulness which, in those times of savage war, nerved the borderers of New Hampshire to bear their miserable life, while he perceives a reason of their earnest desire for that union with Massachusetts which would have placed them in a better position to look to her for relief. Their insecurity made their poverty all the more grievous. Their living was to be got from the fields, the rivers, and the forests. But they could not go out to cut timber, or to plough, or mow, or fish, with any confidence that they were not to be fired upon from the nearest thicket, or that their families would not be butchered before they came back. Usher reported to Lord Nottingham, "Our muster roll amounts to but seven hundred and fifty-four souls." There was almost no money, and every sort of commodity for food, clothing, or Oct. 20.

enjoyment was scarce and dear. Provisions were sometimes wanting even for soldiers in the field. The case seemed still harder when the unhappy people had to reflect that the homes they were defending at such cost and peril were not securely theirs. Throughout their short history their ancestors had been vexed by the claims and suits of a succession of English absentees, and now the last of the Masons had turned them over to another stranger, who, with fresh energy, was about to renew the annoying usurpation.

Usher had a twofold office to discharge in the interest of his master and father-in-law; he had to defend the domain on the one hand against the arms of savage invaders, and on the other hand against the claims of Englishmen who esteemed themselves proprietors, but whom he, if the word had been then invented, would have called *squatters*. In his discharge of the latter function, he had of course nothing but resentment and resistance to expect from the people whom he had been sent to rule. As to the former, the interests of the two parties were the same, so that as often as there was apprehension of an Indian inroad, they had a good understanding together, and were able to act in harmony. Usher, though impetuous and domineering, and soured by the recent issue of his connection with Andros, was not wanting in capacity or vigor, and the scanty resources which he possessed were used with activity, if not always with good judgment, for the defence of his province.

A wiser man, in his circumstances, would have cultivated a good understanding with the persons in power in Massachusetts. But while vigorous military movements should have been in progress, the administration of Usher was embarrassed by a quarrel which he nursed with Phipps, who on his part was not indisposed to make the most of it; his hatred of Andros, which was so strong as to vent itself in violent threats when he returned to Boston just after the Revolution, having a natural tendency to extend itself to Andros's adherents.

Beginning with a collision as to their respective powers, the open feud between the governor and Usher was aggravated by accidental causes. The merchant-ship in which Phipps had provided a passage for Captain Short to England put into Portsmouth, in New Hampshire, into which harbor, whether by an arrangement of his or otherwise, Short's frigate, the Nonsuch, soon followed her. The officer now in command of the Nonsuch applied to Hinckes — President of the Council, and, in Usher's absence, the head of the government — for Short's release; which was refused. Phipps, either having come to feel some misgivings about the propriety of his own conduct, or intending to get some information respecting Short's designs, came by land to Portsmouth, and summoned Hinckes to meet him on board the merchant-ship, which the latter declined to do. Phipps went to the vessel, where he caused Short's chest to be broken open, and seized his papers.

1693. March 30.

Reclaiming and tearing in pieces the warrant which he had issued for Short's conveyance to England, and substituting another, for him to be conveyed in the frigate, he got up a new quarrel with the ship-master, who, being no longer within his jurisdiction, made vehement complaints.

Phipps's commission made him General and Admiral of the King's land and sea forces in the northeastern provinces. In this capacity he undertook to inspect the fort at Portsmouth, but Usher refused him admission to it, and when, notwithstanding this, he attempted an entrance, he was met by a corporal's guard which turned him back. Some men had deserted from the Nonsuch, and were believed to be lurking somewhere among the towns of New Hampshire. Phipps demanded assistance to search for them. But Usher would not allow him to have it, and denied his authority. Finally, in resentment of the disrespect which had been shown him, Phipps ordered back into Massachusetts a force which he had detached for the defence of the former province. In the last summer of his administration, after the attack on Oyster River by the Indians, there was a sharp correspondence between him and Usher, introduced by a call from the latter for military assistance.

1694. July 18 – July 30.

Except for the military operations, and for his strifes with the governor of Massachusetts, Usher's administration was uneventful. He passed much of his time in Boston, attending to his private

affairs, though he liked to magnify his office by coming to New Hampshire and summoning meetings of the Council, with slight pretences of business to be done. When he asked the Assembly for money, he was told too truly that the people were poor; and when he applied for troops, he was answered that the province was overtasked, and could not hold its ground without the help of Massachusetts; which was not only very near the truth, but what they wished to have represented at court, that it might weigh in favor of that annexation which they never ceased to desire. The government was parsimoniously supported by a duty on imported goods, and an excise on wine and spirits, levied from year to year by the Assembly. The lieutenant-governor moved them urgently to do something better. They replied 1695. November. that their means seemed exhausted in providing for their defence, but that, if possible, they would oblige him, "provided he and the Council would join with them in petitioning the King to annex the province to Massachusetts." They made him no allowance. Allen had guarantied to him a salary of two hundred and fifty pounds a year, which, on Usher's application at the end of three years, he refused to pay. Usher then asked to be relieved, either by the governor in person, or by the appointment of some successor in his own place. Without his knowledge, he had been anticipated in this request. An application had been made for the appointment of William

Partridge, treasurer of the province, to be lieutenant-governor. Partridge, a ship-builder, who
1697. January. had large connections in England with the dealers in masts and timber, went out to further the movement, and to Usher's surprise returned with a commission to succeed him, obtained six months before by Sir Henry Ashurst
1696. June 6. from the Lords Justices, — the King being at that time on the continent.

By this time Usher had changed his mind as to the attractiveness of his office. At all events, an involuntary retirement was distasteful to him. In consequence of having come out without his instructions, or from failure in some other preliminary, Partridge was not ready to take his official
1697. June 8. oath. The Council and Assembly, however, held a meeting, and proceeded to some acts which Usher, writing of them from Boston
Aug. 8. to England, described as the "Piscataqua Rebellion." The Lords of Trade instructed him to retain his place, till Partridge should take the oaths, or Lord Bellomont should arrive in
Dec. 13. America. Accordingly he went to Portsmouth, where he proclaimed the peace of Ryswick. But his resumed sway was short-lived.
Dec. 14. The next day his successor took the official oath, and Usher went back, a private man,
1698. Jan. 3. to his Boston counting-room. The Assembly presently sent to the Lords of Trade their thanks to the King for the new appointment, and their assurance, as to Usher, that

"there had been no disturbances but what he himself had made."

While Lord Bellomont remained in New York, Allen came over, and assumed the chief magistracy of New Hampshire. Usher also appeared there, and claimed to be reinstated as lieutenant-governor. This led to a dispute which was terminated for the present by the governor's dissolving the Assembly. Everything remained in suspense till Lord Bellomont, having inaugurated his government in Massachusetts, came to Portsmouth, where he confirmed Partridge in the place of lieutenant-governor, and made other arrangements which recommended him to the people. He advised the province to provide materials for a fort in Portsmouth Harbor, at a cost estimated at more than six thousand pounds, by an engineer whom he employed. The Assembly told him that they had never, when the exigency was greatest, been able to raise more than a thousand pounds in a year, and that they were now especially disabled by reason of their debt incurred in defending themselves against the Indians, and of the insecurity of their property, occasioned by the claim of Allen; and they went on to complain that after spending more money in the defence of the border than their estates were now worth, they should be called upon, as they had been, to send men to protect the frontier of New York, — a colony in which, they said, their savage enemies found a

Aug. 28.

Nov. 29.

1699.
Jan. 6.

July 31.

refuge, and a market for their spoils. They professed, however, their disposition to do anything which he should esteem it reasonable to demand, when he should have acquainted himself with their poverty. He refused to enter into the controversy with Allen respecting the proprietorship of the soil, referring it to the judicial courts which were instituted in conformity with his advice.

The Assembly found the means for a grant to him of five hundred pounds. After two or three weeks he returned to Boston, leaving Partridge at the head of the administration. What he had seen of Allen had affected him with profound disgust.

Aug. 1. Allen had attempted to bribe him to "favor his cause." First he offered him, in general terms, "a handsome recompense." Then he pro-

Aug. 8. posed to "divide the province" with him, and to match his daughter with a younger son of the Earl, endowing her with "ten thousand pounds in money. . . . . But I told him," wrote Bellomont, "that I would not sell justice, if I

Aug. 17. might have the world." Allen accompanied the Earl part of the way on his departure from New Hampshire to repeat the offer, and came

1700. to Boston to press it yet again with more

February. earnestness than ever, representing that the lands claimed by him were "worth twenty-two thousand pounds per annum at threepence per acre quitrent." Bellomont wrote to the Lords of

June 11. Trade that "Usher, indulging his choleric

June 22. temper," had refused to take his place in the

Council, and that Blathwait, formerly Secretary to the Board, was corruptly concerned with Allen. Nor was he much better satisfied with Partridge. "I take it," he wrote to the Lords of Trade, "to be the chiefest part of the trust and business of a lieutenant-governor of this province to preserve the woods for the King's use, and that it was no more fit to commit that duty to a millwright than to set a wolf to keep sheep"; and he refused to permit Partridge to load a ship with timber for Lisbon, and rebuked him for making the request. 1699. Sept. 9. 1700. April 23. April 22.

When Allen brought his business into the newly constituted courts, he expected to find a record of judgments obtained by Mason in Governor Cranfield's time. But it was sought for in vain, while several leaves relating to the period appeared to have been abstracted from the books. Allen's case was thus at a disadvantage. He could get no verdict in his favor, and was mulcted in costs. He tried an appeal to England, but the court refused to allow it. The Assembly then passed laws, with Partridge's concurrence, confirming the titles which Allen had impeached, and directing surveys to determine the boundaries of the lands which had been in litigation. Allen petitioned the King in Council, who authorized an appeal, to be prosecuted within eight months. The previous refusal of it by the New Hampshire courts occasioned great displeasure on the 1700. Aug. 18. 1701. April. Sept. 13.

part of the Lords of Trade, who expressed their feeling with emphasis in letters to Lord Bellomont. He died before they came to his hand. Allen sent Usher, and the province sent William Vaughan, a counsellor and a popular favorite, to represent them respectively in England, where they arrived but a few months before King William's death.

October.

Accordant as were the sentiments of the people of Massachusetts with those which brought about the Revolution in England, the proceeding of that colony in the deposition of Andros was so irregular and bold that it could not have failed to raise serious questions in the minds of the prerogative-loving King William and his cautious ministers. And however wrongfully her charter had been abrogated, it had been condemned with all legal formalities. In both these respects, as the reader knows, the position of Connecticut and Rhode Island was different. When their governor and his counsellors had been imprisoned in Boston, it was indispensable, if they would not have anarchy, that some other authority should be set up, and the most natural and most unexceptionable course was that which they adopted when they reinstated their charter governments. They could maintain that they had but submitted to duress when Andros threatened them; and if Connecticut had done this with reluctance and reserve, and Rhode Island with alacrity, the legal condition of the two provinces was nevertheless

the same. Accordingly when the sentiments of one and the interests of both prompted them to seek a good understanding with the new sovereign, and obtain his sanction for the restoration of their ancient governments, both found a favorable hearing.

The Address in which Connecticut congratulated the King and Queen on their accession solicited a confirmation of her charter, and four years later Fitz-John Winthrop was sent to England to renew the suit. The confirmation was never formally given, but the colony had in England a serviceable friend in Increase Mather, and they felt safe in proceeding when he had obtained authoritative judgments in favor of their pretension. The law officers of the crown gave their opinion "that the charter not being surrendered under the common seal, and that surrender duly enrolled of record, nor any judgment of record entered against it, the same remained good and valid in law." Occasionally the home government would be seized with a fit of jealousy in respect to the charter, and take some step which created a temporary uneasiness. Once, eight years after the Revolution, the Privy Council deliberated on a plan for uniting Connecticut and New York under the same government, but their consultation ended in an instruction to the Attorney-General to "inspect the charters of Connecticut and Rhode Island in relation to the government

1689. June 13.

1693. Oct. 1.

1697. Feb. 25.

and powers of constituting governors of those colonies, and report how he finds the same." A
1701. Jan. 14. step equally without result was taken when the same officer was consulted by the Board of Trade respecting "the means by which the proprietors of the plantations might be obliged to present the names of their governors to his Majesty for his approbation."

New Hampshire was a royal province, having the first branch of its Legislature appointed by the King as well as its executive officers, and subject to have its government remodelled by him at any time. In Massachusetts the chief executive officers were appointed by the crown, but the Council was elective, subject to the governor's refusal. Rhode Island and Connecticut had no such close dependence upon the government at home, and those colonies accordingly conducted their affairs with less apprehension of interference. In the *woful decade* in King William's time, the people of those communities, enclosed within other English settlements where they did not border on the sea, were spared most of the calamities experienced by their neighbors of the two other provinces. Connecticut, however, was active and generous in supporting the common cause. When, indeed, in the summer after the Revolution, she received an application from Governor Bradstreet to take part in the war
1689. September. with the Indians at the East, she did not manifest promptness sufficient to satisfy

his wishes, contenting herself, for the present, with sending to Boston some of her considerable men, commissioned to obtain explanations of the causes of the hostilities which were going on. Adapting probably their tone, in some degree, to the misgivings of their constituents, the commissioners reported that, though they had not been without doubts as to the origin of the war, they had concluded that the existing occasion was urgent, and that it concerned the honor and interest of Connecticut to furnish a reinforcement to Massachusetts, which was accordingly done. This hesitation was not blamable. It was right that, before imposing heavy burdens on her people, and sending the flower of her youth to the hardships and perils of a distant campaign, Connecticut should know that the war waged by her sister colony was righteous, and concerned the common safety and well-being, or at least that it was a war to which the forces of Massachusetts alone were unequal, and that she was in circumstances of considerable danger. On the other hand was the natural sympathy felt by Connecticut for her struggling friends, and the apprehension (perfectly well founded) that her reluctance to take the field would be represented to her disadvantage at the British court.

When the light-headed Jacob Leisler attempted to imitate in New York the revolution conducted by the Massachusetts patriots, Connecticut, wishing well to his cause, sent him a com- 1690. April 11.

pany to help guard the western frontier of his province against the French and their savage
1689. allies, and another to hold his fort in the
Oct. 10. town of New York, and keep the uneasy people there in order. From the former force under the command of Captain Bull, a party was
1690. posted at Schenectady, at the time of the
Feb. 8. calamitous assault on that place, and lost
April 11. five men killed and five captured A reinforcement of two hundred Connecticut soldiers was then marched to Albany; and on ap-
1693. plications from Massachusetts, other forces
March. were despatched twice at least to secure the upper towns on Connecticut River, and twice
1697. to the seat of war in the Eastern country.
May. Contributions were made in the churches of Connecticut to relieve the sufferers from the
1692. Indian ravages in New Hampshire and Maine. On an alarm of a landing of the French in Narragansett Bay, troops were moved
1691. eastward, and works were erected at Say-
May. brook and New London. These opera-
1693. tions were costly, and the share of Con-
May. necticut in the expense of the war, to which she was not prominently a party, is believed to have exceeded the sum of twelve thousand pounds.

The most important of her military movements during this period belonged to the expedition against Canada in the year after that of the Revolution. It has been mentioned that the plan of the campaign was for a force to be operating

against Montreal at the time when the ships under Phipps's command should appear before Quebec, and that the miscarriage of the former part of this scheme caused the discomfiture of the latter. The plan of the expedition had been digested at a meeting held at New York, 1690. May. by commissioners from that colony and the colonies of New England. The land force was to consist of eight hundred and fifty Englishmen, with five or six hundred Indians of the Five Nations. Fitz-John Winthrop of Connecticut was to have the chief command, and the colony of New York was to take care for the supply of provisions. The place of rendezvous for the English and Indians was an inlet called Wood Creek at the southern end of Lake Champlain. When the English arrived, they August. found only some seventy Indian allies; and a messenger sent to look for the missing warriors returned without satisfactory information. What was much worse, the boats which the Indians had been relied upon to furnish for the passage of the lake had not been collected, and the provisions which it had been the business of Milborn, the New York commissary, to supply, were found to be inadequate to subsist the army while on its way towards the French plantations.

In these circumstances, whatever might have been done by officers of more enterprise and more resource, nothing seemed possible to Winthrop and his council of war but a precipitate retreat.

Their resolution to this effect enraged Milborn and Leisler, on whom it threw an odious responsibility. It is related that the latter, in virtue of his assumed authority as governor of New York, went so far as to arrest Winthrop, and to keep him some days under guard, with the purpose of bringing him before a court-martial; and that when his trial was about to come on he was rescued by some Mohawks, "to the universal joy of the army." It is certain that the magistrates of Connecticut had what they esteemed credible information of Winthrop's being confined by Leisler at Albany, and that they sent to that official a peremptory demand for his release. On an examination of the case, the colonial Assembly entirely vindicated Winthrop's course, and commissioned two of the magistrates "to thank the general for his good services to their Majesties and to this colony, and to assure him that, on all seasonable occasions, they would be ready to manifest their good sentiments of his fidelity, valor, and prudence."

Oct. 9.

The home government was too busy elsewhere to bestow much attention on the affairs of Connecticut, unless some special occurrence called for its notice. An occasion arose for it to declare its judgment on the right to entertain appeals from the colonial courts. On a representation from the Board of Trade that the courts of Connecticut had refused to allow an appeal to England, the Privy Council had made an order "that

1690. March 9.

it is the inherent right of his Majesty to receive and determine appeals from all his Majesty's colonies in America." A suitor in the Court of Assistants of Connecticut claimed this privilege, and was denied. He petitioned the Privy Council, who referred his case to the Board of Trade. The Privy Council directed that the appeal should be heard; but the order was not obeyed, and forty years passed before the question was disposed of. 1700. Dec. 5. 1702. Feb. 12.

A more important question arose respecting the chartered right of Connecticut to dispose of her military force. Successive instructions given to Phipps, governor of Massachusetts, and to Fletcher, governor of New York, authorized them to command the Connecticut militia. Phipps was not disposed to assert the authority, and it was before long withdrawn; Fletcher was less forbearing. The magistrates sent one of their number to New York, to engage him to suspend his claim till they should have had a hearing in England; but he refused to delay, and, coming to Hartford while the Assembly was in session, demanded an acquiescence in his pretension, at the same time promising to place the troops under the immediate command of the governor as his lieutenant. There is a more than doubtful tradition that, the train-bands of Hartford being paraded, by his command or request, before the place where the Assembly was in session, he ordered his commission and instruc- 1693. Feb. 23. Oct. 26.

tions to be read; that upon this, Captain Wadsworth, of Charter Oak memory, ordered the drums to be beat along the line; that when the drummers ceased, Fletcher's secretary began again, and again his voice was drowned by the noisy music; that Fletcher would have stopped it, but Wadsworth threatened to *make the sun shine through him*, if he interfered again; whereupon, the temper of the crowd of townspeople who stood around being manifest, the baffled governor thought it prudent to withdraw. However erroneously or imperfectly the details of the transaction have been reported, certain it is that Fletcher came to Hartford with the demand in question, and that he met with such resistance as induced him to desist from urging it for the present. He went away in an angry state of mind. Two days after his repulse he wrote to the Secretary of State: "I have gone so far to assert their Majesties' commission to me for the lieutenancy of this colony as I could without force. . . . . I never saw magistracy so prostituted as here. . . . . The laws of England have no force in this colony. . . . . They set up for a free State."

Oct. 28.

On the first news of Fletcher's offensive claim, the government of Connecticut resolved to send Fitz-John Winthrop to England with a remonstrance, having first, as in their judgment befitted the solemnity of the occasion, taken the sense of the freemen on that proceeding, who approved it by an immense majority of their votes.

September.

The Address represented with abundant specification the insecurity which would follow, both in respect to external enemies and to domestic tumult, if the colony should lose the power to use promptly its military arm according to its own discretion, setting forth, at the same time, its willingness to continue and enlarge the voluntary exertions which it had liberally made for the military protection of the King's other dominions in America. The question was readily and not unreasonably disposed of by the Privy Council. At the present moment it was not entirely, if indeed it could be said to be mainly, a question of power. What the government wanted was to avail itself effectively of the military strength of all the colonies in hostilities against the French and their allies. Therefore, to carry on the war at the North and East, they proposed to place the militia of Rhode Island under the governor of Massachusetts, and to place the militia of Connecticut under that command which it was supposed would make them most useful at the West. Within a few weeks after Winthrop presented his Address, the Council, in pursuance of the advice of the Board of Trade, limited Fletcher's right over Connecticut troops to that of including in his command a force of a hundred and twenty men, to be furnished to him by that colony "at all times during the war." Winthrop further obtained from the Board of Trade an instruc-

Oct. 4.

1694. Jan. 29. April 19.

May 5.

tion to Fletcher "in relation to the quota to be furnished by Connecticut, that he shall not demand a greater number than in proportion to the adjacent colonies respectively." Lord Bellomont's commission, like those of Phipps and of Fletcher, included a grant of the command of the militia of Connecticut, but he made no attempt to put it in force.

The internal administration of the colony proceeded in the same quiet course as heretofore. Treat and Bishop continued from year to year
1691. June. to be made governor and deputy-governor, till Bishop's death (when he was succeeded by William Jones, formerly deputy-governor of New Haven), and till Treat grew so old that, tak-
1698. May 12. ing the second place, he was glad to yield the first to Fitz-John Winthrop, when Winthrop returned from serving the colony four years in England. In the first year of Winthrop's
Oct. 13. administration the important change was made in the constitution of the Legislature, of dividing it into two branches, each with a negative on the other's action, thus assimilating it to the Legislatures of the parent country and of
1701. May 8. Massachusetts. Three years after, a rule was made for the autumnal meetings of the General Court to be holden at New Haven, instead of, like the spring meetings, at Hartford, as had been the practice since the union of the two colonies. The government sought to secure Lord Bellomont's good-will by sending a formal

commission to New York to welcome his arrival at that city. 1698. May.

Enjoying, unlike New Hampshire and Massachusetts, both a government strictly her own, and immunity from the ravages of French and savage war, — unlike Rhode Island, the tranquil order of a religious population, — Connecticut was the happiest of the colonies of New England. Her thirty towns had each its church and educated minister. Her free schools raised all her children above the hardships and the temptations of poverty, and prepared them for the discharge of the duties of virtuous citizens. The agricultural industry which mostly employed her people was favorable to health, frugality, content, and love of freedom. Her caution, and the less urgent demands upon her for costly military operations, had saved her from incurring heavy debt, and she had little share in the financial embarrassment which weighed so heavily on the more powerful colony. Her relations with the mother-country brought little occasion for conflict or anxiety.

Encouraged by the prospect of permanent self-government as the danger of interference from England appeared to diminish, Connecticut addressed herself with a wise solicitude to measures for the improvement of her institutions and the well-being of her people. In the year of the Revolution, the franchise was extended to "all and every person and persons of peaceable, orderly, and good conversation, being in 1689. October.

possession of freehold estate to the value of forty shilling in country pay per annum, and being twenty-one years of age." Two years later the
1691. October. taxable property of the colony amounted to one hundred and eighty-four thousand pounds, divided among three thousand and one
1701. October. hundred persons. In ten years the number of tax-payers had risen to three thousand eight hundred and fifty, and the aggregate amount of their property to two hundred and ten thousand pounds. Towards the close of every year, grants were regularly made to the principal officers of government, ranging between eighty and a hundred and forty pounds to the governor, and between ten and seventy pounds to the deputy-governor. Assistants had each a salary of ten pounds, besides fees for suits brought before them on appeal. Deputies were paid three shillings for each day of official service, besides the expenses of their travel. The roll of their House was called every morning, and an absentee lost his pay for the day, besides being liable to a fine of ten shillings. Any person who, at the
1698. October. annual General Court for Elections, should "take it upon him to speak without liberty first prayed and granted to him by the honored governor, or in his absence by the deputy-governor," was fined "a shilling in silver." Ferries were made free to persons employed by the King's Postmaster-General in the conveyance of letters and parcels. All purchases of lands from
1694. May.

the Indians were declared illegal and void, except such as were made by towns under grants from the General Court. The office of Justice of the Peace was instituted; "three or four at least of the most able and judicious freemen" to be annually appointed to it for each county by the General Court, with judicial powers similar to what had been hitherto exercised by Assistants. In each county two justices, with the judge of their county court, had the charge of the probate of wills, and of the business of wards and guardians. After long and painstaking deliberation, a revised edition of the laws was published by authority. Eight ports of entry were established, to be superintended by a Naval Officer.

1702. October. 1698. Jan. 22. October. 1702. October.

Prominent among the cares of the government was that of securing for all its people the instructions of a learned ministry. No church could be founded without permission from the General Court, and every citizen was obliged to pay in proportion to his means towards the support of the minister of the geographical parish of his residence. Ministers were exempt from taxation of every kind. "For the satisfaction of such as were conscientiously desirous to be married by the ministers of their plantations," that function, hitherto vested in lay magistrates only, was extended to the pastors. Physicians might not practise their art without license from the General Court, generally obtained on the

1694. October.

recommendation of the minister of a place where medical help was wanted. Of professional lawyers there is perhaps no trace to be found in the public record of those times, except in a statute which, along with rioters, scolds, keepers and frequenters of houses of ill-fame, night-walkers,

1698. January. drunkards, and such like evil-doers, provides that "common barrators, which frequently move, stir up, and maintain suits of law in court or quarrels and parts in the country," shall give security for their good behavior or by any Assistant be sent to the common gaol.

1700. October. Towns consisting of fewer than seventy families were obliged to keep up schools through half the year for the tuition of their children, "with able and sufficient schoolmasters"; towns of seventy families and upwards had to continue their school through the year; in the capital town of each of the four counties, a free "grammar school" with a public endowment of land was established, where young men might be prepared for college; and an Act was passed,

1701. October. which was to bear rich fruit, "for the founding and suitably endowing and ordering a collegiate school, ... wherein youth may be instructed in the arts and sciences, who, through the blessing of Almighty God, may be fitted for public employments both in church and civil state."

The inland boundaries of Connecticut on all sides remained undetermined. Massachusetts in-

sisted on the correctness of her survey made by Woodward and Saffery in the early times, to ascertain the line of latitude, three miles south of the southernmost part of Charles River, which, according to her charter, made her southern boundary. Connecticut judged the surveyors to have erroneously marked that line of latitude by a line diverging from the true direction towards the south, when it came to reach her territory. Repeated proposals from her to unite in another survey were declined by the other party. It was urged by Connecticut that the new towns of Enfield and Suffield lay south of the legal border of Massachusetts and within her own. On the other part, the correctness of the ancient survey was insisted on, and it was further urged that, even if it should prove to be incorrect as to the disputed line of latitude, still it was understood to be correct at the time when King Charles gave Connecticut her charter, and must be considered as the line which was had in view when, in the charter, the northern boundary line of that colony was described as being coincident with the southern boundary line of Massachusetts. For the present, it was found impossible to effect an agreement on the subject. Nor for the present was there any better success in establishing the western boundary. The line on the New York side had, many years before, been settled on paper, and King William's confirma-

1642. 1693. 1694. 1695. 1700. 1683. Nov. 28.

1700. March 14. tion of it, which it had been thought prudent to solicit, was obtained. But the running of it and erecting monuments was still delayed.

The question of the eastern boundary of Connecticut, again revived, still seemed impossible to be disposed of, if it was to be discussed as a question of interpretation. Nothing could well be plainer than that two successive royal charters gave the country between Narragansett Bay and Pawtucket River, the first to one colony, the second to another. The decision of the commissioners who, towards the end of the reign of King Charles the Second, had reported adversely to the pretensions of Rhode Island, by reason of the priority of the adverse title, had, it seems, not been acted upon by the Privy Council, and was not regarded as binding by that colony. The strife accordingly was renewed, and was prosecuted as formerly, sometimes by mutual violence, sometimes by ineffectual negotiation. The Board

1697. Aug. 26. of Trade recommended a further attempt at an amicable settlement, and directed Lord Bellomont to use his endeavors to promote

1699. Sept. 26. it. He did so, but without avail, and nothing remained for him but to advise the parties to send their agents to England to present their case to the Board.

Though, when the despotism of Andros was subverted by the movement in Massachusetts, it became necessary for Rhode Island to organize

some common government over her nine unquiet towns, the Revolution was by no means so joyful an event to her people as to those of the other colonies of New England. Rhode Island had never been a place so little disorderly, and so little disagreeable to live in, as under Andros's absolute sway; nor was he subject, within her bounds, to the same motives to act with rigor as those which dictated his course in Massachusetts.

Rhode Island had with little reluctance yielded her charter, and with it her liberty, to King James; and to many of her most considerable citizens even that little reluctance was offensive. Of course Andros's hatred of Massachusetts did not harm his popularity in the sister colony. When the deposed governor broke gaol and ran away, it was to Rhode Island that he directed his steps. He was stopped and delivered to officers sent after him from Massachusetts, and his captors made a merit of his arrest; but one may be pardoned for doubting whether this would have been, had circumstances been such as to admit of his being suffered to pass without their being called to account. Letters written to London by influential citizens of the little colony bewailed his removal as bringing them into a condition hard to be endured; and, on the other hand, he stood by them in England in that important controversy which they were maintaining against Connecticut. The lapse of eight months had given them opportunity to form some cal- 1690. Jan. 30.

culation respecting the probability that the new order of things would prove stable, before they were prepared to report to the King what they had been doing.

When "under a sense of their deplorable and unsettled condition," after the fall of Andros, they determined to have a governor of their own as of old, it was only on a third election that they found a candidate who would consent to attempt to rule them. The Quaker, Walter Clarke, the last governor under the charter, having refused to resume his place, John Coggeshall, the last deputy-governor, remained at the head of the administration for several months, at the end of which, Clarke still persisting in his preference for retirement, and Christopher Almy also declining the unattractive honor of the chief magistracy, it was conferred on the Quaker, Henry Bull, who, however, after a single year's service, declined it, as did also John Coggeshall, who had filled the second place. The next governor was John Easton, from the time of whose election the records contain no information on the subject for five years. That Easton's administration was not satisfactory or prosperous may be partly inferred from his reporting to the King that he could not furnish his colony's contingent of troops, because he could not raise the necessary money. In the last year of this interval Caleb Carr was governor, and he was succeeded by Walter Clarke, during whose

Feb. 27.

May 7.

1691. Nov. 19.

administration the Legislature of Rhode Island was assimilated to those of the other colonies of New England by a division into two branches, each with a negative on the other. When, in the next year, the office fell to Samuel Cranston, who afterwards was constantly re-elected to it for nearly thirty years till his death, the proper Quaker dynasty in Rhode Island may be said to have come to an end, though the Board of Trade was informed that "Mr. Cranston was one of the demi-Quakers only put in to serve the Quakers." The governor had an annual salary of from ten to thirty pounds, the deputy-governor of six pounds, and each assistant of four. Deputies in the General Assembly received three shillings for each day of service.

1696. May 6.

1697.

Difficulty and disturbances occurred in the collection of taxes. It was represented to the Board of Trade that the laws were "so meanly kept, and in such blotted and defaced books (having never yet any of them been printed), that few of his Majesty's subjects were able to know what they were." Randolph, who had no personal bias against the Rhode-Islanders, reported that "neither judges, juries, nor witnesses were under any obligation"; his explanation of this unpleasant fact being that "the management of the government (such as it is) was in the hands of Quakers and Anabaptists," who would take no oath. There was no public provision for schools. Like Connecticut, Rhode

1698. March 8.

Island encouraged the post-office by a free carriage of mails across the ferries, — a privilege which she also granted to magistrates, representatives, and jurymen. The governor and deputy-governor, by virtue of their assumed admiralty powers, issued commissions to armed vessels. Peleg Sandford, commissioned by the English Admiralty to be Admiralty Judge in Rhode Island, complained to the Board of Trade that Governor Clarke had not only refused to administer to him the oath of office, but had taken away his commission and declined to restore it.

Jan. 31.

Rhode Island, at this period, had not bettered the terms on which she had generally lived with the governors of Massachusetts, nor were her relations with New York altogether amicable. The ministers of King William, unable, as long as the charters of Rhode Island and Connecticut were respected, to appoint governors over them, aimed to accomplish something in the way of military subordination by vesting the command of their military force in the King's governors of neighboring colonies, for which arrangement they had a fair pretence in the necessity of a vigorous combination of forces in the colonial wars. One of Phipps's first acts, after his arrival in Boston, was to write to the governor and Council of Rhode Island that he was "commissionated from their Majesties with the power of lieutenant and commander-in-chief of

1692. May. June 2.

the militia, and of all the forces by sea and land, within their Majesties' several colonies of Connecticut, Rhode Island, and Providence Plantation, the Narragansett country or King's Province, and the province of New Hampshire." And he acquainted them "that he desired and expected that some fit persons should be instructed and speedily sent to attend him at Boston with an account of the militia, and what further might appear necessary for their Majesties' service."

The governor sent two commissioners to confer with Phipps. They "attended about five days before they could have any treaty," and then they could get no satisfaction, nor so much as a sight of Phipps's commission, while, on the other hand, he sent into Rhode Island a number of new commissions, "endeavoring thereby," as the local authorities phrased it, "to put the militia into the hands of most of them that disclaim their Majesties' authority here." The governor convoked the Assembly, who enjoined it upon Aug. 2. their own officers to retain their commands, and prepared an Address to the King, setting forth their claim under the charter, and making an application "for redress." They professed their belief that the movement of the governor of Massachusetts to disable the military arm of Rhode Island had been "occasioned by private interest, some of the principal persons of his Excellency, Sir William Phipps his counsellors, claiming interest to all the Narragansett country."

1693. Christopher Almy carried this Address to
Aug. 24. England, where it was referred by the
Sept. 15. Privy Council to the Lords of Trade, and by them to the Attorney-General and Solicitor-General; and those officers reported "that the power given by the charter to the government of the colony to train and exercise the inhabitants of the colony in martial affairs, as also the rest of the charter, was still in force"; but "that their
1694. Majesties might constitute a chief com-
April 2. mander, who might have authority at all times to command or order such proportion of the forces of each colony or plantation as their Majesties might see fit." This opinion was the basis of subsequent arrangements, the same as those made for Connecticut. The Queen (the King being then in the Netherlands) com-
Aug. 21. municated it as such in a letter, instructing the colony to place a force of forty-eight men for the present under the command of the governor
1693. of New York, to whom, in the previous
June 10. year, the power of commanding the militia of Rhode Island had been transferred from Governor Phipps, and with it the pending dispute respecting that authority. Almy further moved the
1694. question respecting the eastern boundary
May 15. of his colony, claiming that, rightly drawn, it would include a strip of territory, three miles wide, extending from north to south along the east-
July 11. ern shore of Narragansett Bay. The Privy
August 4. Council, by the advice of the Attorney-

General, referred this question to "a commission of indifferent and unconcerned persons inhabiting near the places to inquire and certify the truth."

But it was with Lord Bellomont more than with any other royal governor that Rhode Island was on uneasy terms. Narragansett Bay was a place of particularly convenient resort for the buccaneering vessels which so infested at that time the ports of North America, and which he had express charge to hunt down. Rhode Island was especially implicated in the criminal transactions complained of, by reason of the use which had been made of commissions issued by her governors to private armed vessels during the seven years' war with France. Lord Bel- 1699. lomont received detailed instructions to March 9. investigate these "disorders and irregularities," and others related to them. This was soon followed by a severe reprimand to the colony from the Board of Trade. The Board re- Aug. 11. buked them for "shuffling" in their correspondence. "Your answers are so contrary to truth and to your duty, that we wonder how you could write them..... You know better. But..... if it were really so [that the deputy-governor had erred through ignorance], you ought to have taken better care that such an ignorant person had not been put in such an office." Lord Bellomont wrote to the Secretary of the Board that this reproof of the Rhode Island people had "been a mortification to them." An agent was sent to

Nov. 21. England to accommodate affairs. He was disliked by Lord Bellomont, who describes him by saying that he "is one of their Council, yet keeps a little blind rum-house where the Indians are his best customers."

Sept. 18–27. Lord Bellomont passed ten days in Rhode Island, employed in the investigation with which he was charged, and as its result reported to the Lords of Trade the existence of a desperately bad state of things in that colony. Under more than twenty heads he specified departures by its government and people from the provisions of their charter. Their rulers, he said, were incompetent and ill-conditioned persons. "A brutish man, of very corrupt or no principles in religion, and generally known to be so by the people, is . . . . . in the place of deputy-governor," and as such had given commissions to "private men-of-war," which sailed on piratical expeditions "to Madagaska, and the seas of India"; and "the place has been greatly enriched" by the spoils of these adventures. "The Assistants, or Counsellors, who are also Justices of the Peace, and Judges of their Courts, are generally Quakers and sectaries, ... illiterate, and of little or no capacity, several of them not able to write their names. . . . . Their General-Attorney is a poor illiterate mechanic, very ignorant." No reliance was to be placed on the correctness of the copy of their laws, which, agreeably to a demand of the Board of Trade, had been transmitted to

England. "Government have taken all this time to prune and polish them, yet I believe the world never saw such a parcel of fustian. . . . . They have never erected nor encouraged any schools of learning, or had the means of instruction by a learned orthodox ministry. . . . . The generality of the people are shamefully ignorant, and all manner of licentiousness and profaneness does greatly abound, and is indulged." Sanford informed him that persons arrested under a charge of piracy found no difficulty in getting their bail-bonds filled to the amount of two or three thousand pounds. In letters of profuse and awkward compliment to Lord Bellomont, after his return to Boston, the governor and Clarke endeavored to appease the "displeasure" and "disgust" which he had conceived against what they meekly called "an ignorant and contemptible" people.

In their strait they desired to make interest in England, and to this end chose successively six different persons to be their agents there. But all refused to accept the place, for want of confidence, probably, that they would obtain compensation. Jahleel Brenton, who had already been employed by them in London, though previously he had represented them unfavorably to the government, was confirmed for the present in the agency. An ostensible compliance was made with the Navigation Laws by an "Act for supporting the governor in the performance of his engagement to the Acts of Navigation."

Oct. 25.
Nov. 21.
1700.
May 4.
1701.
May 6.

CHAPTER VIII.

ADMINISTRATION OF DUDLEY.

Queen Anne was a devotee to High Church principles, or, to speak more accurately, she was governed by High Church prejudices and passions; and the religious tone of her reign was as bigoted and oppressive as the state of parties and other circumstances would permit
1711. But the Occasional Conformity Act, the
1713. restriction to churchmen of the right to teach youth, and other severities and insults to dissenters which dishonored her government, were not measures of a character to be extended to the colonies. It was in the renewal of a calamitous war, and in the endeavors of her ministers to fasten a stronger hold upon the foreign dependencies of the crown, that in her reign of twelve years the people of New England experienced most of the consequences of their political subordination.

Neither the administration of Phipps, nor even that of Bellomont, had been satisfactory to their English masters. Dudley promised much better for their purposes. Besides his great abilities and industry, — his determination on the one part,

and address on the other, — he thoroughly knew the people he was to rule, and the men who led in their counsels; and that he would not lean to their side might be reckoned on as certain, from the indignities which they had put upon him, and the temper with which their treatment had been met.

It was a proud day for Joseph Dudley, when, after eleven years of uneasy absence from his home in Roxbury, he landed from the Bellomont man-of-war, under a salute which shook the town, and went up King Street to the Province House of Massachusetts to assume the government for Queen Anne. The last time that he left Boston with any observance, he went from a prison where he had lain five months. Since his last ramble through the once familiar streets, he had been a high functionary in New York, and a member of Parliament and successful courtier in England. The native country which he revisited was changed since he had known it so well. With the loss of that charter to which he had been treacherous, the dream of self-government was for the present dispelled from the minds of the people of Massachusetts. If there was discontent among them, there was not concert in any endeavor for redress. They had been learning to regard themselves as, in another sense than in earlier times, the subjects of the British crown. And so far he might promise himself that in his communications with them he had the less impracticableness to apprehend at their hands.

Dudley met the Council on the day of his arrival, and adjourned it for a week, after publishing
1702. June 11. his commission and that of the lieutenant-governor, Thomas Povey. The latter, who took his place at the adjourned meeting, was a stranger in America, believed to have been a brother of the new Secretary to the Board of Trade. The Council for the year had been chosen a fortnight before, on the day prescribed by the charter. Of its members several had been active opponents of the governor in his earlier career, and some had taken a part both in the severities used towards him when the government of Andros was overthrown, and in the influence exerted in England to obstruct his advancement to the place which now rewarded his intrigues.

It is not to be presumed that Dudley felt no good-will to Massachusetts. His own interest being first cared for, he was ready to promote hers, and earnestly when the two might be advanced together. He would have her prosper, when no object personal to himself interfered. But he desired her prosperity in the spirit of an arrogant and jealous patron. It must be such as England, and as he, her ruler for England, should allow. He admitted no idea of having her judge for herself of her rights or of her wants. What she enjoyed, she was to receive and be thankful for as a boon. The opposite theory in her politics was held by the persons against whom he

was also enraged by a sense of personal wrong; and the displeasure with which for both reasons he regarded them he disguised only till opportunities should come for its more effectual expression. As to them and to all opponents, he too well knew the conditions of successful ambition to allow himself to be ruled by his resentments. It was no part of his plan or practice to persist in any gratification of his pride which might incommode a serviceable friend, or confirm or give advantage to an inconvenient enemy. He schooled himself to humiliations which won the favor of Randolph, and at an easier cost of professions and compliments he subdued the hostility of Cotton Mather. But his malignant resentments waited to do their work till the time should arrive when his interests needed no longer to repress them.

The formal language of his manifesto (so to call it) when, following the example set by Lord Bellomont, he addressed the Legislature, at its meeting, in a set speech, disclosed evidently enough the rancor which former events had inspired. Some of his hearers must have found it hard to listen with composure to the language of cool superiority in which he announced the proposed system of his government, and his views of the relations and duty of the province to the parent country. "Not being," he told the Council, "so profitable to the crown in customs as some other colonies, Massachusetts ought to make up the deficiency by falling into

June 16.

such other articles of trade to supply the kingdom of England with naval stores, and other commodities then wanting, of which the province was capable, that might remove this objection, and cause it to be less chargeable to the crown, at the same time keeping within the strictest bounds of all Acts of Parliament." Lofty insolence to be used to men who had sat by his side in council with Endicott and Danforth, and to whom he had been a suppliant in the former years of his merited defeat and helplessness! Galling insolence especially from the lips of the son of the Puritan exile, Thomas Dudley! The governor announced that he was expressly instructed to urge the rebuilding by the province of the fort at Pemaquid, the provision of a house for his residence, and the establishment of regular and sufficient salaries for the governor, lieutenant-governor, and judges. He said it was remarked in England that Massachusetts was the only province in which such provision was not made.

June 20. Four days afterwards arrived intelligence from the Queen's Secretary of State of her declaration of war against France. Thinking his presence immediately necessary in the Eastern country, where trouble was now to be

June 27. apprehended from the Indians, he prorogued the General Court with some expressions of disappointment at their neglect of the matters of business he had laid before them. They had taken no action upon either of his

proposals; but in place of the consent to one of them, which he had promised himself, they pursued the usual course with more than customary liberality, making him a grant of five hundred pounds. June 24.

The governor, accompanied by a party of friends for whom he did not see fit to procure any authority from the General Court, proceeded into the Eastern country, going as far as to Pemaquid. There he met some representatives of the native tribes, whom he persuaded to renew their assurances of pacific intentions. Congratulating the Court, when it came together again in the autumn, on this happy result of his journey, he renewed, but with no better success, his application for fixed salaries for himself and the judges, and for the restoring of the fort at Pemaquid. He told them that, on a visit to that work, he had found that the foundation was still good, that a quantity of the materials of the old structure was on the spot in a condition to be used again, and that there was abundance of lime close at hand. The Representatives could not be brought to view the proposal with favor. At this time, as well as earlier and later, they insisted that Pemaquid, remote from the vicinity of the settlements, was no fit place for a fort intended to give them security; that its position on the coast was such as to render it incapable of being made secure against an enemy, except by a heavy outlay; and that in Oct. 15.

no view would a fortification there be useful to the province in a degree proportioned to the necessary cost. They judged that the pertinacity with which the matter was urged by the English government was due, not, as was pretended, to considerations of their interest, but to an exaggerated opinion of the importance of a work at Pemaquid in maintaining an English possession of that territory between the Kennebec and the Penobscot, which belonged by treaty to the English or to the French according to the interpretation which should be given to the disputed name *Acadie*.

The House had no mind to discuss the question with the governor. It preferred to hold its ground by silence and inaction. The Council, which, if not favoring his plan, desired at all events to have him conciliated by respect, proposed a conference, which the House took
Nov. 3. the strong and unusual step of refusing. The Council, by a unanimous vote, declared this to be a breach of its privileges. The House yielded so far as to retract its refusal to go into a conference, but, after it had been held, per-
Nov. 11. sisted in its denial of the appropriation required. It made an allowance to the governor of six hundred pounds, "for the present year," including the five hundred pounds granted to him just after his arrival. This sum the Council voted to be insufficient. The House added a hundred pounds. The Council repeated its vote,

but finding that here the deputies intended to make a stand, they at length advised the governor to accept the grant.

In considering the differences which throughout the provincial history occasionally arose between the two branches of the Legislature, the diversity in the constitution of the two bodies should not be lost sight of. The House of Representatives, coming directly from the people, most naturally reflected the popular feeling of the day. The counsellors, who were commonly men of property and advanced in life, might be supposed to be averse to novel and disturbing measures. Nominated from year to year by the General Court, and on each nomination subject to be set aside by the governor, the honor attached to the place made it an object of ambition, and so far disinclined the candidate to incur the displeasure of either of the parties who had it in their gift.

In view of the hostilities which were to be apprehended, the House voted to send aid to the neighboring colonies, with the express exception of New York, whose alleged cowardly alliance with the Indians and mischievous traffic with the French had awakened warm displeasure. But on a reconsideration of the subject, the exception was withdrawn. The governor conceiving that it was time for a Court to sit, convened under writs bearing the name of Queen Anne, dissolved the existing Court, as he had power to do by the charter, though its legal

Nov. 19.

1703. March 11.

year had not expired; and the parties separated with little mutual satisfaction. The governor vented his spleen in a letter to the Lords of Trade. Secure, as he supposed, against the exposure of his communications, he wrote: "The
1702. Dec. 10. figure this government makes is by no means so good as an ordinary headborough in the kingdom of England, while they are a very important province, and have the best harbors and outlets to the sea in all North America. The major part of the people by far would rejoice to be annexed, and brought under her Majesty's immediate commission, if her Majesty please so to command. . . . . The Council being of the people's election, many of the most loyal people and of the best estates are not employed, and those that are so, many of them are Commonwealth's men, and all do so absolutely depend for their station upon the people that they dare not offend them, and so her Majesty has no manner of service from them." Colonel Robert Quarry was at that time Judge of Admiralty in New York and Pennsylvania. He "thought
1703. June 16. himself obliged to make some remarks upon the government of New England" to the Lords of Trade. "Colonel Dudley," he wrote, "hath been forced already to dissolve two Assemblies, nor will the third any ways answer his expectation. . . . . They say that he hath given several instances of his remembering the old quarrel, and they resolve on their parts never to

forget it, so that it is generally believed he will never gain any point from them." Quarry wrote that towards a correction of a dangerous restlessness, nothing would "so effectually answer as reducing all the provinces on the main of America to one standard rule and constitution of government."

Having had his former knowledge revived of the intractableness of Massachusetts Legislatures, the governor prepared a less supercilious reception for the new Court. He congratulated them in courteous terms on their freedom hitherto from those inroads of French and Indians which there had been so much reason to dread, and he renewed his application for the construction of the fort at Pemaquid as a prudent measure of precaution. But on that point the deputies were immovable.

The time had come for the confident governor to assert himself by more than language. Giving effect to the provision in the charter that the nomination of counsellors by the two Houses should be subject to the governor's approval, Sir William Phipps had set aside the election of Cooke, who had opposed him in England when the new charter was in progress. In no other instance as yet had this invidious power of the King's representative been exerted. When the first list of counsellors chosen after his coming to the government was presented, Dudley "sent for Mr. Speaker and the House forthwith to attend

May 27.

him in the Council Chamber," and told them "he took notice that there were several gentlemen left out that were of the Council last year, who were of good ability, for estate and otherwise, to serve her Majesty, and well disposed thereto, and that some others who were new elected were not so well qualified, some of them being of little or mean estate." Accordingly he struck off five names from the list, those of Elisha Cooke and Thomas Oakes, Peter Sargent (husband of Governor Phipps's widow), John Saffin, a leading citizen of Bristol, and John Bradford, grandson of the governor of Plymouth. The reasons which he alleged had little application to these men. No one of them appears to have been "of little or mean estate," any more than, in a just estimate, "not well qualified." Cooke, at least, was a richer man than the governor. Besides John Pynchon, who had died since the last election, the Court had left out from the last year's Board, John Appleton, Barnabas Lothrop, Nathaniel Thomas, Nathaniel Byfield, and Samuel Partridge, and had substituted for them, Edward Bromfield, Samuel Hayman, John Walley, John Saffin, John Bradford, and Thomas Oakes; the last three, rejected by the governor, being one half of the newly chosen counsellors. This measure of his was taken with deliberation, the occasion for it having come seasonably to his knowledge. Before the Court met, he wrote to the Lords of Trade: "There

May 10.

has been apparent methods taken in the choice of Assembly-men, that no such should be chosen as had shown their obedience to her Majesty's command for the rebuilding of Pemaquid, or for the settling of a salary for the support of the government." His action naturally increased the coldness between him and the General Court, and his proposal for the appointment of a Surveyor-General of lands granted by the province was bluntly rejected. June 8.

Lord Cornbury, the Queen's cousin, who had now succeeded Lord Bellomont as governor of New York, informed Dudley of his having intelligence from Albany of a meditated attack upon the settlement at Deerfield by a force of French and Indians. For the present this proved a false alarm; but there was only too much reason to expect trouble along the whole northern frontier. Dudley invited the Eastern chiefs to a conference, which, accompanied by several considerable men of Massachusetts and New Hampshire, he held with them at Casco, then the most remote English settlement that was recovering itself from the devastations of King William's war. The savages made the most friendly professions. "As high as the sun is above the earth," protested their chief spokesman, "so far distant should their designs be of making the least breach between each other." Another said that some French priests had been endeavoring to engage them in hostilities against the English, June 20.

but that they were "as firm as the mountains, and should continue so as long as the sun and moon endured." Some suspicious circumstances were observed, but the parties separated in apparent friendship, and Dudley returned to congratulate the Court on the happy result of the expedition. The House made a grant to him of three hundred pounds "towards his support in the management of the government." The Council returned the vote, with a request to have it reconsidered. The House sent it back unaltered. The Council returned it a second time, with the inquiry "whether it was a gratuity, or payment for service, and for what time." The House refused to depart from the ground which it had taken. On the advice of the Council the governor accepted the grant, and the Court was prorogued.

July 8.

July 27.

July 31.

Before it met again in the autumn, disturbances took place, which turned out to be the beginning of another terrible ten years' war. No act of the English provoked it. A party of lawless Englishmen on the Penobscot plundered a house belonging to a half-breed son of the Baron de Castine, who was now in France; but the son's complaint to the government of Massachusetts was received in a manner with which he expressed himself entirely satisfied, and it was not pretended that this incident had any connection with more serious disorders which broke out in the Eastern country about the same time.

The causes of the calamities which were impending lay much deeper. Neither at the French court, nor by its military or ecclesiastical servants in Canada, had it been supposed that the war between New England and New France had been anything more than suspended by the treaty of Ryswick. In the five years that had since elapsed, preparations for the renewal of hostilities had at no time been remitted by the soldiers and priests at Quebec and Montreal. "In the present juncture," thought the Count de Frontenac, 1698. when he had had six months to reflect on August. the news of peace, "there was nothing better to be done than to inspire the Iroquois with distrust of the New-Englanders." Villebon, governor of Nova Scotia, wrote home to the Oct. 3. French Ministry that he had not force enough to obstruct the restoration by the English of the fort at Pemaquid, and of the settlements along the Kennebec, but that he hoped to accomplish that object by means of the neighboring savages. Frontenac died, and the inconstant Nov. 28. Iroquois, relieved from the terror of his name, showed a disposition to withdraw from engagements which they had made with him. De Callières, his successor, pursued with scarcely less skill his method of alternate intimidation and caresses. He piqued the savages with the assurance that the English claimed them as subjects, while the French respected them as voluntary allies. He invited some of their chiefs 1700. Sept. 8.

to Montreal, and obtained their consent to a sort of treaty which he persuaded them need not disturb their friendly relations with the English. He lost no opportunity for establishing priests and missionary stations among them, "not so much because they appeared disposed for religious instruction," but because of the utility of having persons among them "who should inform the governor-general of their movements, and disconcert the intrigues of the English, who were little to be feared in that part of the country, unless they had the Five Nations for allies." De

1703. May 26. Callières died, and again the advantage of the personal influence of an able statesman was lost. The most that could be done by his successor, De Vaudreuil, lately governor of Montreal, was to obtain an engagement from the Iroquois of neutrality in the existing war.

With the Abenaquis on the north of New England the solicitations of the French had been more successful, and a more cordial friendship had been established. Some families of these savages, converts to Romanism, were collected in two villages, called Beçancour and St. François, on the south side of the river St. Lawrence, near to the town of Three Rivers. At Norridgewock, on the Kennebec, close to the old English settlements, only thirty miles from the present capital of Maine, was another station, an important centre of communication and influence, superintended by the Jesuit, Sebastian Rasle.

Relieved for the present from anxiety about the Iroquois, the new French governor turned his attention towards the northern frontier of New England. Two months had not passed since the treaty of Casco, when on one day six or seven bands of savages, some of them with French officers, fell upon the scattered settlements. [Aug. 10.] "They committed," says the calm French historian, Charlevoix, "some ravages of little consequence. They killed about three hundred men. But the essential point was to engage the Abenaquis in such a manner that it would not be possible for them to retract." At Wells thirty-nine persons, at Winter Harbor thirty-five, and at Spurwink twenty-two, were either killed or carried away prisoners. Cape Porpoise (now Kennebunk Port) was wholly desolated. The little fort at Scarborough maintained itself, but with the loss of several men. At Saco the marauders killed eleven persons, and carried off twenty-four captives. At the settlement of Perpooduck, consisting of nine families, twenty-five persons were murdered, and eight led away. Major Marsh, at Casco, on the extreme border, was threatened by a force of five hundred French and Indians, and after a skirmish was only saved by the arrival of a reinforcement from Boston, having been by a flag of truce enticed out of his fort into an ambush, whence he was with difficulty extricated by a sally of some of his men. The party came as far west as Hampton, "where they slew four,

besides the Widow Mussey, who was a remarkable speaking Quaker, and much lamented by that sect." The massacres were attended with every aggravation of cruelty. "As the milk-white brows of the grave and ancient had no respect shown, so neither had the mournful cries of tender infants the least pity; for they triumphed at their misery, and applauded such as the skilfullest artists who were most dexterous in contriving the greatest tortures." At the close of summer there was a short pause, perhaps to get a supply of ammunition, after which the outrages were renewed. At Blackpoint, twenty persons, at work in the fields, were set upon by two hundred In-
Oct. 6. dians, and all but one were killed or made prisoners. A similar fate befell some twelve or fifteen persons at York and Berwick. At the latter place, in revenge for their repulse from a garrison-house, the savages burned to death one of their
1704. captives. In the winter they took a garri-
Feb. 8. son-house at Haverhill by surprise, and made several prisoners. Dudley sent two strong parties of five hundred men each into the Eastern country. But the distance at which the Indians kept themselves was such that before they could be reached, though extraordinary forced marches were made, the provisions which, over a country impassable by horses, the English carried in their knapsacks, were exhausted, and they were obliged to turn back for fear of famine.

The alarm for an assault upon Deerfield had

been only premature. This village, slowly recovering from the ravages of the last war, was still so poor that the General Court had lately made a grant for the support of its minister. In the service of the governor-general of Canada, the partisan soldier, Hertel de Rouville, "worthily filled," writes Charlevoix, "the place of his father, whose age and infirmities no longer allowed him to go on distant expeditions." With four brothers, he led a party of two hundred and fifty French and Indians from Montreal to the northwestern frontier of Massachusetts. The drifts which they traversed on snow-shoes lay deep around the little hamlet, and buried the palisades which had been set for its protection. Approaching stealthily, the enemy lay around it on a cold winter's night. "Two hours before day," observing that the sentries had left their posts, they climbed Feb. 29. over the snow-banks, and fell upon the sleeping inhabitants. They put to death sixty, and took a hundred prisoners; twenty-four hours they "spent in plundering, burning, and destroying," and then, to escape pursuit, "withdrew into the woods, carrying with them their plunder and captives." They were followed to some distance by as many armed men as could be suddenly collected from the lower towns; but, for want of snow-shoes, the pursuit was ineffectual, and the marauders, with their booty and their captives, reached Quebec and St. François by a march of twenty-five days.

Mr. John Williams, minister of Deerfield, published an account of this tragedy, three years afterwards, when he had been ransomed and had come back to Boston. He says he was roused from sleep by the sound of axes and hatchets plied against his doors and windows. Leaping from his bed, he found that the house was already entered, and by the time he could seize his arms, twenty of the enemy, as he judged, "brake into the room, with painted faces and hideous acclamations." A pistol, which he "put to the breast of the first Indian who came up," missed fire, and he was seized and bound. After nearly an hour, during which time they often threatened his life, "holding hatchets over his head," he and his family were allowed to put on some clothes, and "about sun an hour high, they were all carried out of the house for a march, and saw many of the houses of the neighbors in flames." The snow was as high as their knees. His wife was feeble, having within a few weeks become a mother. He begged "to walk with her, to help her in her journey." She "told him that her strength of her body began to fail, and that he must expect to part with her," but "never spake any discontented word as to what had befallen, but with suitable expressions glorified God." The second day she was taken from him, and before the end of that day, having fallen from weariness in crossing a brook, "the cruel and bloodthirsty salvage who took her slew her with his hatchet."

It was a great comfort to him afterwards to learn that "God had put it into the hearts of his neighbors to come out as far as she lay, to take up her corpse, recarry it into the town, and decently to bury it."

During the march Williams's captors often threatened his life. Nineteen of his fellow-prisoners were "murdered by the way, and two starved to death." His "feet were so tender, swollen, bruised, and full of pain, that he could scarce stand upon them"; yet he was forced to travel in snow-shoes twenty-five miles a day. One day he "judged that they went forty or forty-five miles. God wonderfully supported him, and so far renewed his strength, that in the afternoon he was stronger to travel than in the forenoon." He was distressed by vermin, which infested the rags given him in place of his own clothes. It was eight weeks after the catastrophe at Deerfield when he reached Montreal, where the governor-general took him from the Indians, and treated him with kindness. After two years and a half more, his friends in Massachusetts having succeeded in obtaining an exchange of prisoners, he sailed from Quebec on his return, accompanied by fifty-seven partners in captivity, two of whom were his children. Another child was earlier ransomed. A son, who was absent from home at the time of the inroad, he found pursuing his studies at college at the expense of some friends. A young daughter, who

1706. Oct. 25.

was still detained, eventually became a Roman Catholic, and gave herself to an Indian husband. She came to Deerfield several years after, but she had become wedded to the wild life of the woods, and could not be wooed back to the scenes and friends of her early years. Such was one of the distressful passages which the Jesuit Charlevoix despatches in the sentence: "De Rouville, in his turn, surprised the English, killed many of them, and took a hundred and fifty prisoners."

Under French officers and French priests, the war continued to be conducted with cruelty as aimless as it was brutal. Expeditions like those from Massachusetts against Quebec had a substantial purpose. If successful, they would establish the empire of New England, and terminate the chronic strife on this continent. For the French in America, so much less numerous than their rivals, conquest was out of the question, unless with the aid of large forces from the parent country. The war they waged was simply a succession of isolated barbarities, accomplishing nothing whatever towards a solution of the question of power. A band of sanguinary savages was led hundreds of miles over the snow to an assault upon some hamlet, where a few poor people had made an opening in the forest, and were beginning to get a hard living. Watching for a time when it reposed in unsuspecting helplessness, they fell upon it by night, burned the dwellings, tortured and massacred some of the

inhabitants, and then fled, carrying with them the rest. Of the spoils, they consumed the food and drink, as long as their fear of pursuit allowed. But they found little or no money to carry away, and for more cumbrous booty they had no means of conveyance. They gained nothing except the gratification of their monstrous appetite for mischief, and what they might be paid by their French employers for the prisoners whom they brought in. Nor does this latter kind of profit seem to have entered much into their account, if one may judge by the lavish butchering of their captives on the way.

At sea, there were instances of good fortune for the English. A French privateer, fitted out to intercept the spring supplies shipped to New England from the West Indies, was wrecked in Massachusetts Bay. A frigate, conveying two thousand muskets to Quebec, was captured by an English squadron. 1704. April 7.

As warm weather approached, the Indians showed themselves at Wells and at Dover, in quest, at the latter place, of Colonel Waldron, who was fortunately absent from home, and so escaped paying another penalty of the vengeance against his race. Similar invasions of the same place were repeated during the year. Even Portsmouth, though less exposed, had to be fortified. In the West, a garrison-house on the edge of Northampton was attacked by such a surprise and with such April 25. June 1. Aug. 11. May 13.

numbers that a prompt surrender was the only resource. Of thirty-three persons who were led away, only three reached Canada; nineteen were put to death on the journey, eight were rescued by a pursuing party, and three contrived to effect their escape. There is no variety in these transactions, to constitute the material of a narrative. The whole exposed northern border of Massachusetts, from Casco Bay to Connecticut River, was watched from hiding-places close by, affording every facility for sudden invasion and safe retreat. "Under all these sufferings from a cruel enemy, little or no impression could ever be made upon them, by reason of their retiring into inaccessible swamps and mountains." Terrible distress was the lot of numbers, and, for all the dwellers along the wide border, life was insecure and miserable.

A succession of disconnected inroads on the frontier towns took place during the summer, — as at Amesbury, Haverhill, Exeter, Dover, and York. An abortive assault on Lancaster was made disastrous by the fate of Mr. Gardiner, minister of that place, who in the dark was accidentally shot by a sentinel. A messenger sent to Canada to negotiate for an exchange and ransom of prisoners, learned that there were a hundred and eighty-seven in the hands of the French and their allies. The French governor was with difficulty prevailed upon to consent to the liberation of one third of this

Oct. 25.

1705. May 4.

number, to whom, in the following year, were added as many more. At Oyster River, a garrison-house was attacked, which hap- 1706. April 27. pened at the moment to be occupied by none but women. "They put on hats, with their hair hanging down, and fired so briskly that they struck a terror in the enemy, and they withdrew." Two days after, near Kittery, two men, a father and son, fell in their way. They killed the father, and took the son along with them. "In their march they were so inhumanly cruel that they bit off the tops of his fingers, and to stanch the blood, seared them with hot tobacco-pipes." In the excitement that existed, the government offered a reward to regular soldiers of ten pounds for every Indian scalp they should bring in, of twenty pounds to volunteers in the service, and of fifty pounds to volunteers not under pay. Yet so difficult was the pursuit of these cunning enemies, that, according to the computation of the time, "every Indian we had killed or taken cost the country at least a thousand pounds. While they continued in great bodies, they did not commit the like spoil and rapine, in proportion as they did in smaller."

By the time when the fourth year of this desultory and harassing conflict was drawing to a close, the people of Massachusetts had come to understand at what a disadvantage they were conducting it. Their superiority to the French in numbers and strength gave very partial pro-

tection, while, standing on the defensive, they presented to their enemy an extended frontier, which he could choose his own time and place for assailing. The actual distress in Massachusetts and New Hampshire was grievous. By
1704. special commissioners Dudley applied to
November. Rhode Island and Connecticut for reinforcements of troops. It was still hoped that the Confederacy of the Five Nations might be persuaded to undertake hostilities against the native adherents of the French, and a joint commission from Massachusetts and Connecticut was sent to endeavor to engage them in such a movement. "They promised to take up the hatchet whenever the governor of New York should desire it." Lord Cornbury could not be brought to interest himself in behalf of the suffering New-Englanders, being apprehensive, as was thought, of a disturbance of "the vast trade between the Dutch and Indians." Yet under all these discouragements, when Vaudreuil, apprehensive, perhaps, that the fickle Iroquois might be brought into closer relations with the English, proposed a truce,
1705. the General Court advised the governor
Nov. 30. against the measure.

When the English undertook to conduct the war on a system better according with their own position, it was still generally with more courage than good management, and rarely with good success. It was rightly thought that to attack the Indians, and yet more rightly that to attack

the French, in their strong-holds, was the true way to obtain tranquillity. But some fatality seemed to attend the conduct of expeditions of this sort. The spirited veteran, Major Church, not thought to be yet too old for effective service, was placed in command of an expedition expected to operate vigorously in the Eastern country. Three ships of war convoyed thirty-six whale-boats, besides fourteen transports, which conveyed five hundred and fifty men. John Gorham, son of the officer of the same name who led one of the two Plymouth companies in Philip's war, was second in command, and had charge of the whale-boats. 1704. May.

Church, with abilities not equal to his self-confidence, accomplished but little towards the main object of the war. He landed on the banks of the Penobscot and of Passamaquoddy Bay; but the natives kept out of his way, and he only took some prisoners, and brought away a quantity of "goods and stores," burning what he had not the means to carry off. Next he crossed the Bay of Fundy, and destroyed a little town called Menis near Port Royal in Nova Scotia. He had wished to attack Port Royal, but the governor, to whom before leaving Boston he had proposed that step, had forbidden it, on the ground that it was under consideration in England, and had not as yet been authorized. Church, however, submitted it to the consideration of a council of war, who June 20. July 4.

determined that the country had been so widely alarmed that it could not be attempted with a prospect of success. The expensive expedition had no important consequence. The people of Massachusetts were disappointed and angry. Dudley was suspected of having played false. Church's reception at home was cold, though, both to save appearances to the public, and avoid mortifying a well-intentioned and on the whole well-deserving man, the General Court judged it expedient to gratify him by a formal vote of thanks and approbation.

Not so soon as might have been expected, offensive operations were resumed. The government of Massachusetts resolved to make a descent on Nova Scotia, and solicited help from the other colonies for that purpose. New Hampshire and Rhode Island engaged in the enterprise, in the measure of their small ability. Connecticut, little annoyed by the continuance of the existing state of things, did not see reason to take a part. Under the convoy of a frigate of the royal navy, and an armed vessel belonging to the province, a thou-

1707. sand men commanded by Colonel March
May 13. sailed from Boston and landed before
May 26. Port Royal. After a skirmish the French shut themselves up in their fort, which was well provided. They kept up a constant fire upon the

May 29. besiegers, who were at the same time attacked on the other side by a force of Indians from the interior. The English made

regular investments and approaches, and feebly attempted an assault. But, except personal courage and some experience in a small way, March appears to have had no qualification for command. He became bewildered, and his troops became discouraged and disorderly. A council of war resolved "that the enemy's well-disciplined garrison in a strong fort was more than a match for our raw, undisciplined army," and, in less than two weeks from the time of landing, the troops were re-embarked on board the transports. The fleet came to Casco Bay, whence a message was sent to Boston for further orders. Boston was thrown into a rage, in which the characters of the commanders received ungentle treatment. Dudley, reluctant to acquiesce in so discreditable a termination of his undertaking, sent a message to March to await further orders where he was. June 6, 7.

To supersede him by a superior officer would have been imprudent, for he was a favorite with the soldiers, and, if he had not acquitted himself well in this instance, there was no reason to suppose that he had failed to do his best. Three members of the Council were despatched, with a reinforcement of a hundred men, and with authority to represent the governor. After acquainting themselves with the state of things in the camp, they wrote back that they only persisted because such were the governor's positive commands. They reported that the July.

force in officers and soldiers did not amount to so many as seven hundred and fifty, "sick and well," and that these were "so extremely dispirited" as not to be "equal to three hundred effective men." Before the expedition returned to Port Royal, there was a mutiny which had to be quelled. March was no longer himself, and at his instance the command was transferred to Wainwright, who was next to him in rank.

Wainwright, though "much disordered in health by a great cold," tried "to keep up a good heart," but there was nothing to inspirit him. His troops were ailing and demoralized. What with dysentery and "mighty swellings in their throats," they were, he wrote from before Port
Aug. 14. Royal, "filled with terror at the consideration of a fatal event of the expedition, concluding that, in a short time, there would not be enough to carry off the sick." The enemy were receiving "additional strength every day." They had with diligence and skill been strengthening their fortifications, and were becoming more aggressive, so that it was now "unsafe to proceed on any service without a company of at least one hundred men." Wainwright was uneasy about his Indian auxiliaries, who were intractable and insolent. The captain of the English man-of-war attached to the expedition had been relied upon for the help of a hundred men, but he had made up his mind that it would be exposing them for no use, and had withdrawn them. "In fine,"

Wainwright writes, "most of the forces are in a distressed state, some in body and some in mind; and the longer they are kept here on the cold ground, the longer it will grow upon them, and, I fear, the further we proceed the worse the event. God help us." Within a week the camp was broken up. The troops were attacked while getting on board the transports, and were only too happy to effect the embarkation without much loss. The miscarriage, and all its circumstances, were deeply mortifying. A court-martial was ordered, but was never held, perhaps because too great numbers would have come under its sentence, and forgetfulness, as speedy as could be had, was better than punishment or amnesty, and better than any attempt at discrimination. Aug. 20.

Dudley's chagrin must have been bitter. But he was not a man to increase his humiliation by avowing it. He met his enraged General Court with no expression of a discomposed mind. "Though," he said, "we have not obtained all that we desired against the enemy, yet we are to acknowledge the favor of God in preserving our forces in the expedition, and prospering them so far as the destruction of the French settlements and estates in and about Port Royal, to a great value, which must needs distress the enemy to a very great degree."

While the expedition which thus disastrously failed was in progress, the savages were more

than ever at liberty to prosecute their devastations along the northern frontier, and the exposed settlements at Dover, Groton, Kittery, Exeter, Kingston, Casco, York, Wells, Marlborough, Winter Harbor (Biddeford), and Berwick again suffered from their ravages.

May–October.

The winter was quiet. In the next summer the French were again on the alert. Two parties, attached to one of which was Hertel de Rouville, who had led the expedition to Deerfield four years before, started from Quebec for the settlements, — one by the way of the river St. Francis, the other by Lake Champlain, — intending to meet near the English border. From cowardice or from whim, most of the Indian auxiliaries fell off, but a party not less than a hundred and fifty in number surprised the score or two of dwellings which made the town of Haverhill, on the Merrimac. Coming upon it just before daylight, they fired several houses, plundered others, and killed some thirty or forty of the inhabitants, among whom were the minister, Mr. Rolf, and Captain Wainwright, lately the commander at Port Royal. The townspeople rallied, and after an hour's fighting drove them away. Amesbury, Brookfield, and Kittery were again beset, but without much damage. Exeter, near one end of the border line, and Deerfield, near the other, were invaded anew. One of four men whom the Indians carried off from Exeter, they roasted to death.

1708. Aug. 29.

1709. May 6.

June 23.

From Deerfield, though they attempted it with a force of nearly two hundred men, they were this time repulsed with little loss to the conquerors. Dudley informed the General Court of the arrival of Lord Lovelace as governor of New York, and advised that he should be desired "to let loose the Maquas and dependencies"; and messengers (Wait Winthrop and John Leverett) were accordingly sent by the Court to New York to confer with him. Feb. 16.

The plan of attacking the French at the central point of their power, and so cutting off the source of the continually recurring miseries, was so obviously the correct one that it could not fail to be revived as often as from adverse accidents it miscarried, though, more or less, it was embarrassed all along by the sense which prevailed in Massachusetts, and was expressed by her at this time to Lord Dartmouth, Secretary of State, of "the criminal neutrality maintained by New York with the French Indians." The General Court sent an address to the Queen, praying for aid to an expedition, towards which they professed a desire themselves to do their utmost, for the conquest of Nova Scotia and Canada. The proposal was favorably received at Court, and operations on a larger scale were resolved upon. Colonel Vetch brought information that it was determined to send from England what was thought a sufficient naval force, and five regiments of the regular army. Twelve hundred March 31. April 28.

men were to be enlisted and equipped by Massachusetts and Rhode Island. These united forces were to attempt Quebec, while fifteen hundred men from the colonies further south were to make a movement by land against Montreal.

May 20. The Massachusetts troops were mustered at Boston before the end of spring. The southern contingent proceeded towards Lake Champlain, and lay encamped at Wood Creek, awaiting intelligence of the arrival at Boston of the English fleet. Month passed after month, of anxiety and expense, and the English fleet did not appear. At length, General Stanhope having

Oct. 11. lost the battle of Almanza, intelligence came that the troops expected in Boston were wanted in Portugal, and had been sent thither; and the ministers directed a consideration of the question, whether the preparations which had been made in Massachusetts might not be serviceable against Port Royal. The plan was approved at a consultation between the New England governors. But the officers in command of the few King's ships which had come to Boston declared that their orders would not justify them in affording assistance, and they took the responsibility of sailing away at once. There was now no convoy for the troops, and, on a request from the General Court, the governor disbanded them, to put an end to the oppressive expense. The army at Wood Creek, under the command of Nicholson, lieutenant-governor of

New York, was distressed by an epidemic sickness, occasioned, as was afterwards believed, by the perfidy of their native allies, who threw putrid skins into a stream which supplied the English camp. That force also, threatened by a movement of the French, precipitately withdrew, and the whole costly expedition came to nothing.

The project was renewed in the next year as to the less important of its objects, — the conquest of Nova Scotia. Nicholson, who had gone to England for the purpose of urging it, returned to Boston with a fleet of small vessels, which was increased during the summer, by ships of the four New England colonies and of the royal navy, to the number of thirty-six. These conveyed to Port Royal a force, under his command, consisting of four regiments from New England, and a regiment of royal marines. The garrison, under the command of the officer, Subercase, who had foiled Captain Wainwright three years before, consisted of only two hundred and fifty men, and was too feeble to oppose the landing. At the end of a week, some mortar batteries having been erected, a summons was sent into the fort, and it capitulated the following day on honorable terms. The garrison was to march out with the honors of war, and be conveyed to a French post. Persons dwelling within three miles of the fort (who turned out to be four hundred and eighty-one in number) had liberty to remain for two

1710. July 15.

Sept. 24.

Oct. 1.

years at their homes, with their farm-stock, provisions, and furniture, on taking the oaths of allegiance and fidelity to the Queen. The fort was out of repair, and the siege cost the English the lives of only fourteen or fifteen men. But the French were dissatisfied with their officer's conduct. Agreeably to a promise from Lord Sunderland, Vetch was "left in command there." It was also intended that he should be governor of Canada, when further projected operations should have succeeded.

The summer had brought its accustomed sorrows along the line of the outlying settlements. At Exeter three men were killed, among them Colonel Hilton, who had served well with Church. At Biddeford, Berwick, Chelmsford, and Brookfield some murders were committed. The savages went as far as Connecticut, where they entered the towns of Simsbury and Waterbury.

In England the Tory statesmen Harley and St. John were now in full power, from whom the people of Massachusetts did not presume to expect proofs of friendship for themselves, or of hostility to France. The surprise was great when Nicholson, who, before the change in the English Ministry, had gone to England to solicit aid in another expedition, returned with two frigates and two transports, bringing orders to proceed in the plan on a large scale. His representations had been seconded by those of the very able Jeremiah Dummer, who,

1711. June 8.

Jan. 3.

the autumn before, had been charged by the General Court of the province with the agency in England, Sir Henry Ashurst being now dead, and his brother, Sir William, having declined to succeed him. A fleet was promised, and the engagement was presently made good by its appearance in Boston Harbor, after a seven weeks' voyage, to the number of fifteen men-of-war of different sizes, and forty transports. As one of the methods to conceal its destination, it was not provisioned in England, but supplies for it for ten weeks were to be procured in Boston.

1710. Nov. 11. 1711. June 24.

The extreme difficulty, which might prove to be an impossibility, of making this provision, led to a suspicion that the home government was not sincere, but intended to impute to the colony the failure which would ensue. The jealousy was not unnatural, considering what had occurred in the last year; but in this instance it was without foundation. Letters of the Secretary, St. John (soon to be Lord Bolingbroke), admit no doubt of his having been in impatient earnest as to this business. Apparently the Tory ministers, who were now arresting Marlborough's great series of victories in Europe, and withdrawing his troops, wished to compensate this proceeding, and protect their popularity, by so striking an exploit of their own as would have been the conquest of New France; and it would have been a special satisfaction to the Queen's new favorite,

Mrs. Masham, if at the same time that she distressed her discarded rival by the recall of the great Duke from his triumphs on the continent, she could have raised her own brother to consequence as the winner of a new empire for England in America. St. John's mind seems to have been filled with this scheme during half of the first year of his official life, till it failed. No one was informed of it — so he writes to Hunter, governor of New York, in a letter of which he sent a copy to Dudley — except the Queen, himself, and his colleague, Lord Dartmouth. "It is my favorite project," he says, "which I have been driving on ever since I came last into business, what will be an immense and lasting advantage to our country, if it succeeds, and what, if it fails, will perhaps be particularly prejudicial to me." Those who were to be employed in the expedition were made to understand that it was destined for a landing in the South of France. Sealed instructions were prepared for the naval commander, not to be examined by him till he should reach the fortieth degree of latitude. When, after some delay, at which St. John constantly and passionately expresses his vexation, Nicholson sailed with the instructions to Dudley and Hunter to hasten their preparations, the Secretary's nerves were somewhat quieted, but his irritability returned as the preparations for so great an expedition proved to require no little time.

Feb.–Aug.

Feb. 6.

April 10.

He "must be forgiven," he writes to the general, "if more uneasy than ordinary upon this account. But the Queen is so herself." They "earnestly contemplate the several vanes." May 1.

The British statesman's impetuosity was responded to with genuine animation on the other side of the water. To raise money, the General Court of Massachusetts, which was in session when the fleet arrived, resolved on borrowing, for two years, on bills of credit to the amount of forty thousand pounds. A price was established for provisions, and when this caused them to be concealed, a law was passed, commanding the seizure of them and authorizing forcible entry for the purpose. June 12. July 7. An embargo was laid to suppress intelligence of the design, and secure a supply of seamen. An order was issued "to impress all bakers, brewers, coopers, etc., who cannot or will not supply the public in their way at the stated prices." A proclamation of the governor required the selectmen of towns to send every day meat and vegetables to be bought by the commissaries for six thousand men encamped on Noddle's Island. Three Iroquois sachems came to Boston to consult respecting the plan of the campaign. There was a voluntary agreement among the citizens to eat no fresh meat till the fleet should be supplied. A day for fasting and prayer was appointed. The enactment of a severe law against harbor- July 3. July 22. July 18.

ing deserters did not prevent the admiral from complaining, with an arrogance which has sometimes been observed in the English naval service, and demanding that there should be a press of seamen to make up his loss, — a demand, however, with which it was not thought prudent to attempt to comply. The admiral could not himself impress seamen in New England, by reason of a standing prohibition of the Privy Council to this effect.

1696. Dec. 3.

1711. July 30.

The provisioning was done with extraordinary expedition, and the fleet left Boston Harbor, conveying seven thousand well-appointed troops, regular and provincial. Lord Hill, brother of the lady of the bedchamber to the weak Queen, was the incompetent commander.

Aug. 20.

In three weeks the fleet was at the mouth of the St. Lawrence. Proceeding up that river, it lost its way in a fog, and then a high wind began to set the ships towards the northern bank. The pilots, New England ship-masters, had undertaken their task unwillingly, not pretending to much knowledge of the eddies and soundings of the stream. When they were some thirty miles up the river, the admiral gave orders for the ships to lie to, heading towards the south. The pilots afterwards insisted that this was contrary to their judgment. The fate of the superb expedition was settled without much delay. By midnight of the second day ten or eleven ships had drifted upon ledges of rock,

Aug. 22.

where they went to pieces, and some six or seven hundred persons were drowned, among whom were thirty-one commissioned officers of various rank, and thirty-five women. With the vessels which escaped, including all that belonged to the royal navy, the disheartened admiral sailed down to the mouth of the river. He and his captains still hoped to cover their disgrace by an attempt upon Placentia in Newfoundland; but on a reconsideration they determined unanimously in a council of war of nine navy officers and nine colonels, with the general and admiral, that this scheme also must be given up, for lack of a sufficiency of provisions. What remained of the provincial force sailed for Boston, to excite loud complaints of the admiral's mismanagement, while he and the general went to England to excuse themselves by representing that the Massachusetts people had been tardy and penurious in fitting out the fleet.

Aug. 25.

Sept. 8.

Sept. 16.

Nicholson, who, in accordance with the method before pursued on the like occasion, had led a force towards Lake Champlain to operate against Montreal, received intelligence of the disaster lower down the river, in season to withdraw out of reach of the attack which Vaudreuil was preparing to make upon him with his undivided force, as soon as the danger at Quebec should be over. The shipmasters who acted as pilots had been impressed by Dudley in Boston and other ports. This coercion was necessary, because they

felt themselves to be incompetent, by reason of their little acquaintance with the river. Three of them were sent to England, where, however, no questions were put to them; perhaps because the Ministry thought they might tell what it was as well for those in power that the people of England should not know, and especially it might not be agreeable to the sovereign that in the circumstances they should draw attention to the commander of the land forces.

In Massachusetts the consternation, as well as the disappointment, was extreme. The expedition having so miserably failed, the cost of it appeared all but ruinous. The General Court, however, never giving way to despair, sent an Address to the Queen, praying for a further renewal of the repeatedly frustrated enterprise. As to their own capacity for contributions to it, they prayed for some forbearance, "because of their enfeebled and impoverished state." As one proof that it was not zeal in which they were wanting, they represented that one man out of every five in their jurisdiction, capable of bearing arms, had been doing military service in the past year. While their agent in England was "to vindicate and justify the government," they magnanimously or prudently instructed him not to "fault or impeach others for want of doing their duty, or for their conduct in that affair." Some little consolation was derived from the knowledge that a plan

Oct. 17.

Oct. 24.

entertained by the French for the retaking of Port Royal had been disconcerted by the necessity of concentrating their forces for the strengthening of Quebec.

In the following year some of the customary inroads of Indians, varied by no novel circumstances, took place along the north-eastern border. On the whole, in the discouragement which prevailed, the intelligence of the peace of Utrecht was received with welcome in Massachusetts. The Indians proposed to the officer commanding at Casco to make a treaty on their own account. Dudley kept up his dignity by answering that they must come to him at Portsmouth; and there accordingly they made another of their untrustworthy pacifications, professing themselves loyal subjects of the British Queen, and imploring forgiveness for their past misdeeds and perfidies. It was estimated that the eastern tribes had lost one third part of the whole number of their warriors during the past ten years, and that the proportion of lives sacrificed had been little, if at all, less among the English population of Maine.

1712.

1713. March 31.

July 11.

CHAPTER IX.

ADMINISTRATION OF DUDLEY, CONTINUED.

The renewal of the Indian war at the beginning of Dudley's administration, while it invited harmonious action between him and the General Court, did not suspend their jealousy of one another. He called the Court together to con-

1703. Sept. 1. sult on the state of affairs, informing them that he had already marched four hundred troops into Maine, a sufficient force, as he still hoped, to restore tranquillity. It was not unnatural that he should regard a moment when he felt his importance to the people to be great, as being a favorable one for the introduction of measures which he knew to be disrelished by them; and he read a letter from the Queen

April 8. urging anew the matter of stated salaries for the high officials. The House replied that, in the absence of many of its members, kept at home by the existing alarm, they could not prudently proceed to consider a subject of such moment. The importance of a stated and permanent salary for the governors had been seen clearly both by them and by their masters from the institution of the provincial government, — by the Min-

istry, because it so materially affected the power of their representatives to serve them; by the governors, both for that reason and for their private comfort and ease. Sir William Phipps was not long in seeing the expediency of praying the King to "nominate to said Assembly a salary sufficient for his support." Lord Bellomont, before he left England, applied to have "such a salary fixed on him as might be suitable to the government"; an application of which the unsatisfactory result has been seen in the reply of the agent of Massachusetts to the message of the Privy Council.

1693. November.

1695. July 4.

At the next meeting of the Court, the governor's urgency for action in respect to established salaries and the restoration of the eastern fort was such as to bring the House to a formal defence of that policy, which it had adopted at the beginning of the provincial history, and in which it persisted to the end. There was now excitement on both sides, the Council siding with the governor on questions of form and of his prerogative. The Representatives had sent an Address to the Queen, without consultation with the Council. The Council desired to see it. The Representatives replied that their Journal, in which it was recorded, was open to the Council's inspection, but they refused to send their clerk up with the Journal, or to furnish a copy of the paper. Dudley summoned the House to come to the Council Chamber with their Journal.

1703. Oct. 27.

They came, but did not bring it. At length they were prevailed upon to furnish a copy of the Address, and the altercation came to nothing except as manifesting the temper which prevailed.

Nov. 23. The House made a grant to Constantine Phipps, as agent for the colony. Dudley held that, with his becoming governor, Phipps's

Nov. 26. agency, being unauthorized by him, had ceased. The House voted that the appropriation by the governor to other uses of moneys granted by them for the fortification of Boston

Dec. 2. Harbor was a "grievance." They presented a list of other complaints relating to his military administration, and were about to extend it still further when he prorogued them, after a rebuke accompanied with lofty assertions of his prerogative as "her Majesty's commander-in-chief in Massachusetts." They parted in mutual ill-humor, and Dudley wrote to Lord Not-

Dec. 19. tingham that he had communicated the Queen's requisitions to the Assembly, but though he had "for a month's time used all possible methods with them," he found it "impossible to move that sort of men, who love not the crown and government of England, to any manner of obedience." They meant, he said, to "put a slight upon her Majesty's government, of whose just rights I will not abate the least point to save my life, it being so very necessary to watch to support it amongst a people that would destroy it, if possible."

The governor's first speech to the General Court after the sack of Deerfield was occupied with that subject to the exclusion of the commonplaces of the salaries and of the eastern fort. The Queen had repeated her instructions on both those points, and had added, "If they do not forthwith comply with our just expectation herein, they will appear to us undeserving of our royal favor and bounty towards them on the like occasion." But either that communication had not yet reached him, or he considered that prudence required it to be withheld till he had obtained the money which was urgently needed for the war. The Court called for six hundred volunteers, offered a premium of a hundred pounds for scalps, and sent to solicit military aid from Rhode Island and Connecticut. A large supply of money was wanted. Bills of credit were issued to the amount of ten thousand pounds, and a tax was laid for their redemption.

1704. March 8. Jan. 11.

The Representatives never overlooked the importance of the pending question of provision for the governor's support. They made him a grant of two hundred pounds. The Council sent down a message, recommending an increase of the allowance and a grant besides to the lieutenant-governor. The House replied that they had "resolved not to raise any further money this session," and were presently prorogued. They came together again for

March 25. Apr. 18–27.

a few days in the following month, but attended to nothing beyond some arrangements for the prosecution of the war. At the annual
May 31. meeting for the election of counsellors, the governor again refrained from pressing the measures which were most upon his mind. But, on the other hand, he again resorted to an offensive exercise of his prerogative by setting aside the choice of the popular favorites, Elisha Cooke and Peter Sargent, to be counsellors. The Speaker "addressed his Excellency in the name of the House for his favor to accept the two gentlemen to be of the Council, whom he had disallowed of." The House had compromised its dignity in vain. "His Excellency returned answer to that motion, and dismissed the House to their business." After a fortnight's delay, and not without being prompted by a message from the
June 14. Council, the House consented to go into an election to supply the vacancies, and Simeon Stoddard and Samuel Hayman, who were now chosen counsellors, were admitted by the
July 13. governor. "The election of counsellors," wrote Dudley to the Lords of Trade, "is scandalously used . . . . . to affront every loyal and good man that loves the Church of England and dependence on her Majesty's government."

The disagreement with him on the essential points of policy went on for the present without check, notwithstanding the general good understanding which united the two parties in

the conduct of the war. The House granted forty pounds to each Judge of the Superior Court for his service for the year, and the same sum to the lieutenant of the castle. To Povey, lieutenant-governor, as captain of the castle, to which place Dudley had advanced him over Hutchinson, they voted a hundred and twenty pounds as a year's pay; but it was on onerous conditions, one of which was that, except for special reasons, he should be at the castle three days in every week. The Council gave him fifty pounds more for the first half of the year, at which the House took high offence, and voted that the proceeding was "arbitrary and illegal, and a violation of our English and charter privileges and rights." The Council sent down a message asking for "a grant for the support of the governor and the secretary, and to know what consideration they had had of the memorial presented by the judges," complaining of their insufficient provision. A list of grants was laid before the Council, in which they in vain informed the House that they found none for the governor. "I humbly ask," he wrote to the Secretary of State, "your Honor's favor and patronage for me in my difficult part with an angry people that can hardly bear the government nor Church of England amongst them, and, while my care is to keep them steady to Acts of Parliament, will make me as uneasy as they can."

June 30.

Nov. 10.

Nov. 18.

Nov. 27.

Nor did anything more satisfactory follow, when at the beginning of another session the Council formally solicited "a just and honorable supply to the governor for his support to the remaining part of the year." He had been too peremptory for prudence in his opening speech. In that harangue he had declared that the Commissioners of Trade had instructed him to express their regret "for the refractory temper of the Assembly referring to her Majesty's commands for the rebuilding of Pemaquid," and to say that it was "very unfit Assemblies should make representations to her Majesty without the consent and knowledge of her Majesty's governor," and that it was unreasonable for the people of Massachusetts to "expect that they should be furnished with stores of war at her Majesty's expense, while they, of all the colonies of America, did alone refuse to settle a salary on her Majesty's governor and other officers there." And he added a lofty assertion of his acquaintance with the interests of the province, his desire to promote them, and his persuasion that "their affairs would proceed better when they should think so of their governor, and accept his service well." On the other hand, in his message at the close of this session, he said he should report to the Queen that he "had asked nothing referring to the war of the Assembly, but that it had been very easily complied with."

Dec. 29.

Dec. 27.

1705. Feb. 21.

The financial difficulties of the war pressed

heavily. Within two thirds of a year, successive issues of bills of credit amounted to no less a sum than twenty thousand pounds. With a supply so inflated, a provision that they should be received in payments into the treasury at an advance of five per cent did not save them from continued depreciation. Nor was this the only trouble which attended on them. They were freely counterfeited; and the scrupulous rulers, while they labored to stop the forgeries by penal laws, thought it their duty to make good the loss occasioned by them to innocent private holders.

1704, June 30–1705, Feb. 27.

The governor put forward a new pretension. As early as the second year of the provincial charter, the question of "the power of the governor to dismiss the Speaker" had come before the Board of Trade; but for the time it passed by without serious discussion. In the organization of the third General Court constituted since Dudley's arrival, the House chose Thomas Oakes for its Speaker, the agent who in England had opposed the charter. The governor withheld his approval, and directed them to proceed to a new election. The House voted that it was "not in the governor's power to refuse the election of a Speaker." The governor hesitated to take the responsibility of arresting the public business. He needed a grant of twenty-two thousand pounds, which the House was ready to make, when he should cease to in-

1693. Nov. 21.

1705. May 30.

terfere with its organization. He proposed to the House to "put another person in the chair, with a *salvo jure*, till counsellors should have been chosen," an election which, by a provision of the charter, could not be delayed. Without paying regard to the suggestion, they proceeded to the election of counsellors; and the governor, yielding to the inconvenience of further pressing the question, consented to the whole list. He

July 25. wrote to the Lords of Trade, that Oakes, to whom he had objected as Speaker, was "a known Commonwealth's man, never quiet, nor satisfied with the government, but particularly very poor."

May 30. It was at this General Court that Lieutenant-Governor Povey appeared for the last time. He was succeeded, after a considerable interval, by William Tailer.

March 2. The governor had accepted a grant of two hundred pounds made to him by the General Court now expired. Taking care to keep his claim alive, with however little prospect

June 22. of present success, he sent a message "to move the new House for a suitable and honorable allowance for the support of the governor."

June 30. For answer they gave him another three hundred pounds, and were prorogued for two months. Before the expiration of that time he expected to be prepared for a more vigorous movement. Accordingly, when they came

Sept. 5. together again, he told them he had received a letter from the Queen, expressing in

positive terms her Majesty's expectation that they would rebuild the fort at Pemaquid, contribute to the repair of the work at the mouth of the Piscataqua, and establish regular salaries for the governor and lieutenant-governor; and he added that he was instructed to represent that "the neglect of these commands would show the General Assembly undeserving of her Majesty's royal favor and bounty towards them." The Representatives replied that, since the date of the Queen's letter, which was several months old, they had, in an Address, explained themselves to her Majesty on the subject of fortifying Pemaquid; and they desired that the two other matters might be deferred to the next session, and then "debated and answered by a full House," which now, on account of "the affairs of husbandry," could not be obtained, "the members of three counties being absent." Jan. 25.

The governor still insisted, and the House, having probably first ascertained that they might promise themselves support in the other branch, sent up a resolute message presenting their whole case. They said, 1. That, while the fortifying of Pemaquid would occasion a great expense, which they were in no condition to meet, — for the war had already cost them "not less than eighty thousand pounds, the greatest part whereof was still unpaid," — it would be simply useless when done, for the fort on Casco Bay, fifty miles west of Pemaquid, was Sept. 11.

"seated near the extent of the former settlements and plantations of the English within the province, and considerably beyond any of the present English dwellings"; 2. That the cost to New Hampshire of the fort on the Piscataqua would not equal the sum expended in the war by many single towns in Massachusetts; that Massachusetts vessels passing in and out of the river paid toll at that fort; and that forts built by Massachusetts without aid from New Hampshire were as useful for the defence of New Hampshire as of the sister colony; and, 3. That as to the establishment of permanent salaries, their circumstances and ability were different at different times, and it was "the native privilege and right of English subjects to raise and dispose of money according to the present exigency of affairs." The great principle of the question, still evaded, was not presented till some years later. The governor was ill-advised enough to bring the subject before the Council, on which it may be presumed that he still relied for support. But the Council, being brought to a vote as to the three proposals which the House had put aside, determined that they could not give their advice in favor of any one. An Address to the Queen, framed by a joint committee of the two branches, was debated in the Council, "the governor and lieutenant-governor withdrawing." It was adopted with some amendments; the secretary was directed to sign and forward it; and the Court was prorogued the same day.

Sept. 12.

Sept. 15.

The discontent with Dudley, so rife in Massachusetts, was seeking a hearing in England. Nelson, who had taken a prominent part with the patriots in the deposition of Andros, but who had since changed his side, wrote to the Secretary of the Board of Trade, urging the continuance of the governor in his place. He 1706. was "informed of the endeavors of a fac- Feb. 11. tion who are busy to reinstate themselves into the government." There was no reasonable "complaint against him [Dudley]; but that which displeases is his care and attendance on the Church of England," his urging action relating to the building of an eastern fort and the establishment of salaries, and his care of the Acts of Trade." It may have been from the same unpopularity that the lieutenant-governor too found his position uncomfortable. He had lately gone home, and a memorial from members of the Feb. 4. Church of England in Boston prayed that he might be sent back, "with a good establishment, both for the governor and himself, to put them beyond the power of a difficult and ungrateful people."

At the next election of counsellors, the May 29. governor rejected two, Elisha Cooke, his old antagonist, and Joseph Hammond. Events had been providing an occasion for the deep-seated animosity against him to break out with violence. A vessel, under the command of one William Rouse, had been sent twice to Nova

Scotia to bring back some of the prisoners of the war. He had little success in his proper errand, and was charged with using his opportunity to trade with the enemy and provide them with military stores. The House entertained
June 14. the accusation, extending it to Samuel
June 24. Vetch as an accomplice, and presently to John Borland and Roger Lawson, merchants of Boston. As the offence alleged had been committed, if at all, in Nova Scotia, a doubt arose whether it could be investigated by the judicial tribunals of Massachusetts; and the House, inclining to the process of impeachment, sent up a message to the Council, asking "that such
June 25. proceedings, examinations, trials, and judgments might be had and used, upon and relating to the said persons, as were agreeable to law and justice." Already it was whispered that the governor had been a sharer in the crime and its profits, and the House thought themselves
July 9. called upon to send up their denial of a report that they had begun their examination of the suspected men with the question whether the governor was concerned with them; and they went so far as to add that his alacrity in pursuing the scrutiny "had removed all color for such vile suspicion." The session being
July 12. about to close, the House sent a message to desire that the prisoners, to whom John Phillips of Charlestown, and Ebenezer Coffin, were now added, might be kept in close confinement,

"in order to their being brought to their trial before the Great and General Court." The Council determined that they should be proceeded against at the next session by a bill of attainder, and the Court was then prorogued.

In his speech at the opening of the next session, the governor enlarged upon the gravity of the crime which was alleged, but urged upon the Court its duty to pursue the prosecution with caution and good temper. In a conference between the two Houses the form of a bill of attainder was determined. The judges and the attorney-general (the governor's son Paul), being directed by the Council to consult on the conduct of the trial, advised that a copy of the charges should be delivered to the prisoners, and that they should be successively arraigned before the whole Court, beginning on the following day. Counsel having been assigned them, Vetch was tried on one day, Borland and Lawson on another, Rouse and Phillips on a third, and then Coffin. A vote of the whole Court convicted them all, and a joint committee reported on the punishments to be assigned to each. The Council objected to the sentences as being on the whole too severe, and the House was persuaded to a partial relaxation. The conclusion was that the penalty of imprisonment, which, as well as that of fines, had been proposed for all the convicts except Coffin, was remitted in

Aug. 7.
Aug. 10.
Aug. 13.
Aug. 15.
Aug. 16, 17.
Aug. 19, 20.
Aug. 21.
Aug 24.

every case; that Rouse was excused from "sitting an hour upon the gallows with a rope about his neck"; and that he was fined twelve hundred pounds, besides being declared incapable of sustaining any public trust. The fine of Borland was fixed at eleven hundred pounds, that of Lawson at three hundred, of Vetch at two hundred, of Phillips at one hundred, and of Coffin at sixty. And a separate Act was passed, disposing of each case. The House voted a grant of fifty pounds to the governor "for his extraordinary trouble," and other allowances to the members of the Court, to be paid from the fines. But he refused his consent to these gratuities, and immediately prorogued the Court. He wrote to the Lords of Trade that he thought the fines imposed — especially that laid on Rouse — to be excessive, and hoped that the Queen might be advised to remit them. The members of the Assembly, he said, had proceeded unadvisedly and harshly, because they were "of less education and knowledge in the law," and "in a very great displeasure against traders with the enemy."

Sept. 3.

Sept. 4.

Oct. 8.

Whatever was the governor's opinion of the illegality of these proceedings, and whatever might be his personal interest in them, it was hard for him to place any impediment in their way, so jealously was he watched, and so unfavorable would have been the inferences drawn from any action of his on the side of lenity.

The Acts were submitted to the consideration of the Queen in Council, by which authority they were annulled. The Queen was advised 1707. that "the crimes in the said several acts Sept. 24. mentioned" were "in no wise cognizable before the General Assembly [of Massachusetts], in regard they have no power to proceed against criminals, such proceedings being left to the courts of the law there." And it was accordingly ordered that the fines should be repaid. The convicts were to give bonds to stand a trial at law, which bonds were to be void, unless prosecution took place within a year.

Their case could not fail, in existing circumstances, to involve the character of the governor, and to inflame whatever there was of long-hoarded hostility against him. Before that action of the Privy Council which has just been related, some twenty men of New England, most of them then resident in London, had addressed to the Queen a formal petition for the removal of Dudley from his government. Professing to pass over "divers unheard-of corruptions and oppressions, and unjust and partial practices of the said Dudley, on which they might ground many complaints," and of which they were "certainly informed," they alleged that he had "countenanced a private trade and correspondence with the French of Canada and the Indians in their interest, and furnished them with ammunitions and provisions"; that he embar- June 10.

rassed the prosecution of the persons concerned with him in this crime, till they brought on the colony a loss of not less than thirty thousand pounds; that having thinned the House of Representatives by artful delays of their business, "he prevailed with those that remained, who were scarce a number to make a House, that the accusation against his agents should be changed from treason to misdemeanor, and, they being convicted, he labored to mitigate their fines." The name which stands first among the signatures to this memorial is that of Nathaniel Higginson, a highly respected merchant of Salem; the second, that of William Partridge, lieutenant-governor of New Hampshire; the third, that of Stephen Mason, a counsellor named in the charter.

A copy of the memorial came to Dudley. He laid it before his Council, and demanded
Nov. 1. that they should vindicate him without delay. They did so, by what was represented as a unanimous vote, which they sent down to the House. The House paused, perhaps embarrassed between a disposition to be civil, and misgivings about the truth. The Council sent to in-
Nov. 5. quire whether any action was in progress.
Nov. 7. Two days later they repeated the question in a message conveyed by the secretary and eight counsellors. Still obtaining no satisfaction, they proposed a conference; and here they
Nov. 20. somehow prevailed; for the House, now
Nov. 21. echoing the Council's words, voted that

the charge against the governor was "a scandalous and wicked accusation." Thomas Newton, one of the subscribers to the memorial, being "convented before the Council," said that he had signed it "under provocation," that he knew nothing of the truth of the charge, that he was sorry for what he had done, and that he had asked the governor's pardon. As to action in the General Court, the business was finished by an order of the Council for printing the exculpatory votes which had been passed by the two Houses in the "Boston News Letter," — the weekly newspaper just then established, the first in British America.

But the dispute was by no means thus brought to an end. Presently there appeared in London a pamphlet of some forty pages, arraigning Dudley with unbounded severity. It was entitled "The Deplorable State of New England, by Reason of a Covetous and Treacherous Governor and Pusillanimous Counsellors." "Colonel Dudley," says the writer, "in King Charles the Second's reign, was intrusted with the precious depositum — their greatest treasure, their religious privileges and civil liberties, which were conveyed to them by charter, but were both betrayed by him." "This is the third time that he has been trusted with power from the crown in America, and he has constantly abused it, to the dishonor of the government, and almost ruin of the people he was sent to govern." The treatise

reviews, in five sections, the career of Dudley in Massachusetts, from the time of his presidency of the Council after the dissolution of the colonial charter, to that of the censure passed upon his accusers by the votes of the Council and of the Representatives. The following is a brief abstract of its contents: —

Colonel Dudley, having been trusted by the colony as its agent in England, "joined with the instruments that overthrew the charter," then "accepted an illegal and arbitrary commission from King James," and next became "a chief tool of all the ensuing barbarous and infamous administration" of Andros. The abuses of that outrageous administration are described in detail. "Judge Dudley was a principal actor in all this wickedness. . . . . All things were going to wreck, but yet Colonel Dudley was like to enrich himself and his family in the general shipwreck; there lies the mystery! . . . . . The world has heard how narrowly Colonel Dudley escaped a *De Witting* for these his follies, from the enraged people in the Revolution." Sent over to England as a prisoner, he next appeared as Chief Justice in New York, where he did that "bloody business" of the condemnation and execution of Leisler and Milbourne, which was presently denounced in Parliament as "a barbarous murder." Notwithstanding, "by many fair promises," he prevailed to be made successor to Lord Bellomont in Massachusetts. "He had not been long in that

government" before a memorial was sent to London asking for his removal, on the grounds that he had refused to approve acts of the General Court, till he had been bought over by bribes; that "merely to gratify his own arbitrary will and pleasure," he had left vacancies in the judicial offices, "by which means the courts dropped, and the course of justice was obstructed"; that he had sold indulgences to a company of pirates who were in prison; that, by cheating the troops employed in the expedition to Acadia out of nearly one half of the booty that had been promised them, he had discouraged for the future the engagement of volunteers; and that he was as hostile to the existing provincial, as he had been to the colonial, charter of Massachusetts, and as he was known to be to the charter of Connecticut. In confirmation of this last charge, a letter was produced, which had been addressed to a friend in London, by the Attorney-General of Massachusetts, the governor's son. "If there should be any occasion," wrote Paul Dud- 1704. ley, a year and a half after the governor's Jan. 12. return to Massachusetts, "you must be sure to stir yourself and friends, and show your affection and respect to my father, who loves you well, and bid me tell you so. . . . . This country will never be worth living in, for lawyers and gentlemen, till the charter is taken away. My father and I sometimes talk of the Queen's establishing a Court of Chancery in this country. I have wrote about it to Mr. Blethwayt."

The writer proceeds to treat at length of the "blanching business" of Dudley's vindi-
1707. October and November. cation by the General Court. He says that it was in the hurried moment of the breaking up of a meeting of the governor's Council on a Saturday, that he produced to them the memorial of Higginson and others to the Queen, and required them "immediately to clear him from these imputations. . . . . Three or four of the Council . . . . . prayed that, since the thing was both new and weighty, it might be put off till Monday." The governor, with a boisterous fury, required them to do it immediately, and they did it immediately. One of the counsellors, Judge Sewall, brother-in-law of the governor, reflecting that he had acted with precipitation, withdrew his vote, and caused his reasons for so
Nov. 25. doing to be entered on the Council's record. They were, that his motion for the postponement of a matter of such great concern had been unreasonably disregarded; that a vote so affecting "the governor's personal interest . . . . . ought to have been debated and framed by the members of the Council, apart by themselves, in his absence"; that, on mature consideration, he did "not firmly believe that the governor did no way allow Mr. Borland and Captain Vetch their trading voyage to her Majesty's enemies, the French." Finally he said, "I have been acquainted with Mr. Nathaniel Higginson these forty years, and I cannot judge the offering of this Ad-

dress to her Majesty to be in him a scandalous and wicked accusation, unless I know his inducements. And I fear this censure may be of ill consequence to the province in time to come, by discouraging persons of worth and interest to venture in appearing for them, though the necessity should be never so great." While Sewall had thus cleared himself, the pliancy of others of the Council was imputed to their dependence on the governor for their places. "We advise you that you would not be so monstrously afraid of the governor's putting his negative upon you, the last Wednesday of May. Should you be negatived out of the Council for your fidelity to your country, it would be a much greater honor to you than to be there, and no great honor to them that are left behind."

The writer next deals with that vindication of the governor, which was at last, though slowly, obtained from the Representatives. He professes to account for it on the authority of two letters to Sir Henry Ashurst, one of them signed by some twenty members of the House. When the first direct action was had on the governor's case, "about forty-five members, more than two to one of the House, voted that they could not clear him." In a second trial, he fared no better. "The governor's friends were now at their wits' ends, and in humble wise besought the House that they would confine their vote unto the particular trade of Vetch, Borland, and Lawson [thus avoid-

ing the question of his connection with Rouse, which was thought to be more certainly made out]; and it was urged that Borland and Lawson had cleared the governor. . . . . Hereupon the flexible honest men, perfectly worried and wearied out of their lives by three weeks' altercations, did so many go over, as to make a sort of a vote of it." Appliances in which Dudley was skilful were said to have assisted the operation. "Besides the caresses of the table, which are enough to dazzle an honest countryman, who thinks every man means what he speaks, the influence which preferments and commissions have upon little men is inexpressible. It must needs be a mortal sin to disoblige a governor that has enabled a man to command a whole country town, and to strut among his neighbors with the illustrious titles of *our Major*, *the Captain*, or *his Worship*. Such magnificent grandeurs make many to stagger egregiously!"

Finally, the misconduct of the expedition against Port Royal is alleged as special matter of reproach. It is said that that post might have been easily carried at the beginning of the war, but that Dudley could not be persuaded to authorize a movement against it; and that afterwards, when Church was despatched to the eastern country, he "not only had the taking of the fort left out of his orders, but was positively forbidden to meddle with it." The disappointments and disgrace which followed are elaborately laid

to the governor's charge; and the conclusion is, "Under his admirable conduct an impoverished country has, as we are credibly informed, been put to above two-and-twenty thousand pounds' charge, only to be laughed at by their enemies and pitied by their friends."

The Queen was approached from the other side in a "Most Humble Defence and Apol- 1710. Nov. 10. ogy against the most Unjust and False Representation in an Address offered to her Majesty at Windsor." The Defence did not hesitate to affirm that Dudley had "administered the government to universal satisfaction. . . . . Colonel Dudley and his countrymen are so good Christians that they have long since forgiven any supposed injury." Some of the petitioners against him, the Defence declares, were "gotten over a bowl of punch at Sir Charles Hobby's cost. [Sir Charles Hobby, reputed a free liver, was said to be an aspirant for Dudley's place.] . . . . . Since he [the governor] has had the honor to serve her Majesty in New England, he has done it with all truth and plainness and just moderation, being an instance of virtue, sobriety, and everything becoming religion, to the satisfaction of the Church of England in their government, as well as to all the other ministers, who every day visit him and bless him for his just administration."

No presumption in Dudley's favor in this controversy arises from his general character. He

was certainly not a man whom conscientious scruples would restrain from shameful conduct. Self-seeking and malignant, his malice found its natural object in the Commonwealth, which would not forget his faithlessness, and which resolutely rejected the demands of his cupidity. But in respect to a crime, needing, if really committed, to be covered up with all sorts of disguises, it is not unlikely that the justly strong feeling of dislike to Dudley dictated suspicions of more than was true. From some of the crimes alleged, his prudence would have been likely to deter him. It is plausibly argued by Governor Hutchinson that, if his connection with the shipment of goods to be sold to the French by Rouse and others had amounted to anything more than connivance, the accomplices would scarcely have failed to denounce him when he approved those Acts of the General Court which condemned them to imprisonment and fines. Yet his inclination to protect Rouse is suspicious; and so strong was the persuasion of his criminality and of his cunning, that there were those who believed it to have been by his management that the business had been submitted to the General Court, to keep it from the cognizance of the common-law courts, where the investigation would have been conducted with more method and vigor, and the verdict would have been more decisive.

CHAPTER X.

ADMINISTRATION OF DUDLEY, CONTINUED.

In the course of these transactions there had grown up between the governor and the Mathers a fierce enmity, which proved of excellent service to the College in bringing about its re-establishment on the basis of the ancient charter. It has been told above that, hostile as the Mathers had been to Dudley at the time of the Revolution, his arts and assiduities had brought them over, and he was not without obligation to their good offices at court for his appointment to be governor. On his arrival to assume that office, he paid an early visit to Cotton Mather, who availed himself of the interview to offer some advice, which the governor may have thought officious, against his coming under the influence of Mr. Byfield and Mr. Leverett. 1702. June 16.

It was understood on all hands that, since the abrogation of the colonial charter, the College had been defunct in law. Dudley, during the short term of his rule as President of the Colonial Council, made provisional arrangements for carrying on the institution, which Andros, on his accession, did not disturb, further 1686.

than to offer the affront of placing an Episcopal clergyman in the pulpit with the presiding academical dignitary on the day of the annual Commencement. Increase Mather, when in England on the business of the colony, addressed himself successively to King James and to King William for favor to the College, but without result. The proceedings had with reference to the institution during the administrations of Phipps, Stoughton, and Bellomont have been related in a former chapter. When Dudley came to his government, Samuel Willard, as Vice-President, was in the second year of his official service to the College, and Cotton Mather was aspiring to succeed him, when the time for his retirement should come. The wives of Dudley and Willard were sisters, and this affinity may have done something to quicken the new governor's interest in the College. He took an early opportunity to say to the General Court that he should "very freely" lay before the Queen anything that might appear to concern its welfare. "I am sorry," he said, "for the mistake of this government, at any time, in that affair"; and when the House asked an explanation of that stricture, he replied that "the mistakes he referred to were a first, second, and third draft of a charter of incorporation for the College, sent to England, and there refused."

1688.

1703. March 11.

The influence of the Mathers in the affairs of the College continually waned. Cotton Mather,

who had not attended a meeting of the Corporation since the accession of Vice-President Willard, was regarded as having "abdicated," and his place at that Board was given to one of the Brattles, a favorer of the recent religious movement which had led to the establishment of the Fourth Congregational Church of Boston. Two years passed before the question of a charter for the College was resumed. Then "his Excellency intimated to the Council that, by letters from England, there was encouragement to hope that a charter of incorporation might be obtained, ... if proper application was made; and the draft proposed in his late Majesty's reign was ordered to be laid on the table to be read." Again the question slept. Probably no satisfactory compromise could be arranged between the religious party which represented the primitive ideas of New England, and that which had recently risen into importance by the maintenance of more liberal views; besides which, it must have been believed by both these parties that the Queen would not consent to such provisions as both desired for the exclusion of the Church of England from interference in the concerns of the institution.

1705. Jan. 2.

The death of Vice-President Willard revived attention to the question. To the infinite disgust of Cotton Mather, the Corporation elected John Leverett to be President. The Representatives, after considerable delay and

1707. Sept. 12.

opposition, granted him a salary, and the two branches concurred in a vote which, referring to the ancient charter now suspended for more than twenty years, directed "the President and Fellows of the said College from time to time to regulate themselves according to the rules of the constitution by the Act prescribed, and to exercise the powers and authorities thereby granted for the government of the House and support thereof." The governor, whether expecting to escape the observation of the government at home, or to satisfy it of the expediency of such action, approved the bill. The English ministry never took steps to disturb the arrangement; and the College charter, confirmed by an article in the Constitution of the Commonwealth at the time of the separation from Great Britain, has remained in undisputed force to this day.

Dec. 6.

1780.

The governor's approbation — if we are not rather to say, his active promotion — of the choice of President Leverett, together with the establishment of the President's friends in the College corporation, put an end to anything that remained of simulated courtesy in the intercourse between him and the Mathers, father and son. Henceforward there was no course for the latter party but war to the knife. The circumstances of the moment favored them; for it was the moment of intense exasperation against Dudley on account of his alleged malpractices in Nova

Scotia. Increase Mather wrote him a furious letter, charging him with "bribery and unrighteousness" in arresting a process in the Admiralty, till satisfied with a sum of money; with plotting against the liberties of the province, a crime proved by the letter of his son Paul; with "hypocrisy and falseness in the affairs of the College," shown by his consent to the revival of that charter, which for a long time he had declared to be dead; with "the guilt of innocent blood" in the cases of Leisler and Milburn; and with "ordinarily forsaking the worship of God," and spending his Sunday afternoons "with some persons reputed very ungodly." Two considerations, said the Ex-President, prompted him to "discharge his conscience with these rebukes. One is, in that you have sometimes said, that if ever you had a spiritual father, I was the man; and there was a time when I encouraged the church, with whom I have been laboring in the work of the Lord these forty-six years and more, to call you to be my assistant in the ministry. The other is, that a letter thought to have been written by me induced the late King William to give you a commission for the government here." 1708. Jan. 20.

The Ex-President's son wrote to the governor on the same day, in a yet more animated tone. Having hitherto "in divers letters sought out acceptable words," he says, "your Excellency now compels me to see that the schemes of

speaking and modes of addressing used among persons of the most polite education will not answer the expectation I have had of them." Adopting accordingly a different method of address, he tells the governor that his letter, erroneously ascribed to his father, favoring Dudley's appointment, had been written when he "weakly believed that the wicked and horrid things done before the righteous Revolution had been heartily repented of, and that the rueful business at New York, which many illustrious persons of both Houses of Parliament often called a barbarous murder, ... had been considered with such a repentance as might save him and his family from any further storms of heaven for the revenging of it. . . . . Your snare," he writes, "has been that thing, the hatred whereof is most expressedly required of the ruler, namely covetousness"; and he largely repeats and expatiates on the charges of the governor's evil conduct in the voyages to Nova Scotia; in his obstruction of the capture of Port Royal; in his appointments to office; in his management of meetings of the Council; in his arresting the course of justice; and in "the horrible trade carried on at the castle," where the governor was said to have misapplied certain funds specially appropriated by the Representatives.

The astute and well-poised governor was more than a match for men enfeebled by passion. After a fortnight's interval, which perhaps he

found useful to get the better of his own choler, he replied in what is on the whole a tone of calmness and dignity, though the reader may think he also observes signs of a timidity indicative of a conscience ill at ease, and the consciousness of an insecure position. Dudley gives back Scripture in abundance, and turns the tables upon his correspondents in the way of edifying recommendations of self-scrutiny. He knew, he says, what was the root of their bitterness. "Every one can see through the pretence, and is able to account for the spring of these letters, and how they would have been prevented, without easing any grievances you complain of. . . . . I desire you will keep your station, and let fifty or sixty good ministers, your equals in the province, have a share in the government of the College, and advise thereabouts as well as yourselves, and I hope all will be well. I am an honest man, and have lived religiously these forty years to the satisfaction of the ministers in New England, and your wrath against me is cruel, and will not be justified. . . . . The College must be disposed against the opinion of all the ministers in New England except yourselves, or the governor torn in pieces. This is the view I have of your inclination." Feb. 8.

The elections of the new General Court, and its proceedings as soon as it came together, showed the strength of the popular feeling against Dudley. Along with the Queen's May 30.

disallowance of the penalties which had been imposed upon Vetch and the persons charged with having been concerned with him, the governor laid before the Court a communication "declaring the royal style upon the union of the two kingdoms of England and Scotland." The occasion rendered proper an Address to her Majesty, and the Representatives drew up min-

May 31. utes for such a paper, and desired the concurrence of the Council. The minutes proposed did not please that body, and, after a delay which they may have hoped would tend to allay the existing irritation, as well as afford time

June 24. for reasoning and management, they proposed on their part to intrust to a joint committee the preparation of the heads of an Address. The Representatives at first "insisted upon the heads offered by that House" (which probably embraced the question as to the prose-

June 25. cution of Vetch and his partners), but gave their consent to a memorial congratulating the Queen on the consummation of the union

July 1. of the kingdoms. The House sent up a list of "grievances," most of which related to unauthorized uses by the governor of moneys granted by them for specific objects, though there was also a complaint that Leverett, now President of the College, still retained the office of Judge of Probate. The House granted

July 3. to the governor the sum of two hundred pounds, instead of the three hundred

usually voted at the spring session. There was also a deviation from past usage in the language of the vote. The Council sent messengers "to observe the same to the House," but it "was afterwards sent up again without alteration." The Council proposed to the House an enlargement of the grant to the governor; but, "finding that they could prevail nothing therein," they consented to it as it stood, and the governor relieved himself from further opposition for the present by a prorogation of the Court. He complained to the Board of Trade that there had been "considerable alterations, more than usual, in the House, and . . . . . they showed their temper, and left out three principal gentlemen of the Council, of approved loyalty and of the best estates in the country." He now gave up in discouragement the contest for his favorite object. He desisted thenceforward from pressing the desperate claim for a fixed salary; and the House, on its part, made him grants from year to year, of five hundred pounds for each remaining year of his administration, giving him three fifths of that sum at the spring session, and the rest in the autumn.

July 5.

July 10.

The next session began with a dispute about the "grievances." The Council was disposed to justify the governor. The House maintained its position. The Council again requested a reconsideration; a conference took place; and, partly by explanations of the past and

Oct. 26.

partly by promises for the future, a truce of
Nov. 3. that dispute was effected, and by a grant of three hundred pounds instead of two hundred, which latter sum was the usual autumnal allowance to the governor, the recent reduction from his accustomed pay was made up. He asked for a small grant to defray the charge of a journey which he proposed to make into the eastern country, to acquaint himself with the progress of the war there. The House "prayed
him not to expose his person in a journey
Nov. 5. eastward at this season, but to command the officers of the forces there to attend him at Boston to receive his commands." But he urged
the advantages of his own plan, and they
Nov. 6. gave him twenty pounds to enable him to carry it out, "in consideration of the extraordinary occasion."

Vetch, at the time fixed for his trial, was still in England, detained there by solicitations for the enterprise against Quebec. When the next
General Court came together, he had re-
1709. turned, bearing the Queen's commission as Colonel, and invested with a high command in the expedition which was on foot. His present importance overbalanced his former delinquency; the legal acquittal of one of his partners, who had been tried during his absence,
relieved the Court from the embarrassment
June 2. of retracing its steps against him; and a vote was passed for remitting the fine and costs

to which he had been condemned in the former proceedings.

In the last six years of Dudley's administration, the collisions between him and the elected government of Massachusetts were to a great degree suspended by the cares incident, first to the war, and then to its calamitous consequences. He had been hopelessly defeated as to the objects which in entering on his office he had obstinately insisted on. The General Court would not build a fort at Pemaquid; they would not contribute to the cost of the fort at Portsmouth; and above all, they would not fix salaries for the governor and judges. The grant which in the latter years of Dudley's service they made him annually, five hundred pounds, was a much smaller allowance than they had given to his predecessor, Lord Bellomont; and he had made up his mind to approve the vote, and take the money without remonstrance. He no longer indulged himself in obstructing the Representatives' choice of a Speaker, and they no longer complained when he gratified his grudges by rejecting counsellors of their choice. Resentments do not last forever in their full fierceness, when the mutually angry parties come to have interests in common; and, though the elder contemporaries of Dudley could not be expected to forget the character of his important career sufficiently to extend to him respect or confidence, yet it was not a time for them to seek or use occasions for quarrel, when,

distressed by a French and Indian war, they found him conducting their military affairs with activity, and, on the whole, not without good judgment, even if with indifferent success. They were assured by some of their English friends that if they got rid of him they would be likely to fare worse, and that they would do well to reconcile themselves to his rule on the principle enforced in the ancient fable, that half-gorged bloodsuckers are more tolerable than a fresh and hungry swarm. And if at present it was for his interest to practise those arts of insinuation of which he was a master, on the other hand nothing is more depressing to the pride and spirit of a community than the financial difficulties which were now weighing more heavily every day; and to Dudley's boldness and resource men willingly looked for such means of extrication as might be possible.

In the quarter-century which had passed since the abrogation of the old charter, a generation had come upon the stage of active life, not trained in the maxims of independence so dear to Massachusetts in other days. In their minds, the foreign sovereign was recognized with a reality with which he had not been conceived in the minds of the fathers since English Massachusetts had a being. When the Charleses had claimed and threatened, she had denied, "avoided," and kept quiet, waiting her time. When Cromwell had attempted to cajole, she had excused herself with

a decision which he had sense and sympathy to understand. But now English Puritanism had been, after a feeble fashion, indulged and conciliated; and Massachusetts Puritanism — as to its antagonistic attitude, at least — had lost its powerful backing in the parent country. It was not the time for Puritan Massachusetts to be contumacious and impracticable when the Protestant sovereigns, William and Anne, had come to hold the British throne by election against the legitimate Popish monarchs of the Stuart line. In the new circumstances loyalty had become a virtue and a genuine sentiment; and if the object of such loyalty turned it to his advantage by putting hard tasks upon it and summoning it to inconvenient submission, that was no new experience in the history of sovereigns and of sentimental subjects. King William and Queen Anne, and the ministers of both, had as little positive liking for Massachusetts as the line of tyrants which they superseded; and practically Massachusetts had the less power of self-defence against them because of their being in theory less unfavorably disposed to her and to her well-wishers in England.

Governor Hutchinson entertained the opinion that at the time of the Treaty of Utrecht 1713.
"there was not double the number of inhabitants in the Massachusetts province, which the colonies of which it was formed contained fifty years before," while the people of the other

colonies had quadrupled their numbers in the same time; and he ascribes this slow growth to the wars which, with only two short intermissions, had been going on through the forty years since the outbreak under Philip of Pokanoket. Within that time he calculates that "five or six thousand of the youth of the country had perished by the enemy, or by distempers contracted in the service." He supposes that the expenses of Massachusetts in this, called Queen Anne's War, "were beyond those of any other ten years from the first settlement," and that the military operations "added to the support of civil government, without any relief or compensation from the crown, certainly must have occasioned such an annual burden as was not felt by any other subjects of Great Britain."

In the seventh year of his administration Dudley reported to the Lords of Trade: "I judge this province to contain, when I arrived, fifty thousand souls. These are all freemen and their children, besides the blacks. . . . . This number is increased by a thousand every year, . . . the wars and troubles with the Indians notwithstanding. . . . . The people here clothe themselves with their own wool. New English goods are here sold at less than a hundred and fifty pounds per cent advance; most goods more. . . . . They are proud enough to wear the best cloth of England, if cropping, sawing, and building of ships would pay for their

1709. March 1.

clothes, and this method would double the sale of English woollen manufactory presently. . . . . There is no trade to the coast of Guinea." Three years later he wrote: "The revenue of both the provinces [Massachusetts and New Hampshire] consists of an impost for goods and merchandise brought in, an excise upon taverns and retailers of wines and liquors, and a land and poll tax laid once a year." 1712. April 8.

In Governor Dudley's time, an Act of Parliament was passed, of which the important political bearing does not seem to have been weighed either by the government at home or by the colonists. It provided "for erecting a General Post-Office in all her Majesty's dominions, and for settling a weekly sum out of it for the service of the war and other occasions." 1710.

Some rude arrangements had been early made in New England for the transmission of correspondence. When a few years had passed after the first settlement in Massachusetts, the General Court appointed Richard Fairbanks of Boston to take care of letters "brought from beyond the seas or to be sent thither," and to receive a penny for each, "provided that no man be compelled to bring his letters thither except he please." After thirty years, as communications improved, arrangements were made for a mail to leave New York for Boston the first Monday of every month. A little later, on a petition from mer- 1639. Nov. 5. 1672. 1677. May 23.

chants and others, who complained that their letters were "many times imposted and thrown upon the Exchange, so that who will may take them up, ... whereby merchants especially, with their friends and employers in foreign parts, were greatly damnified," the General Court made choice of a postmaster "to take in and convey letters according to their direction." At the Revo-

1689. June 11. lution, Randolph's function having ceased, the General Court appointed Mr. Richard Wilkins "for postmaster, to receive all letters and deliver them out; to receive one penny for each single letter." When William and

1691. Feb. 17. Mary had been two years on the throne, they gave by patent under the Great Seal, "unto Thomas Neale, Esq., his executors, administrators, and assigns, full power and authority to erect, settle, and establish within the chief ports of their Majesties' colonies and plantations in America an office or offices for the receiving and despatching letters and packets," to be paid, however, for his services by "such rates and sums of money as the planters should agree to give."

Neale appointed Andrew Hamilton his deputy, and Hamilton applied to each of the colonial legislatures to "ascertain and establish such rates and sums" payable for the conveyance of posted matter, as, affording him sufficient compensation, should tend to "the quicker maintenance of mutual correspondence amongst all the neighboring colonies and plantations, and that trade and

commerce might be the better preserved." The governments of New England received the proposal favorably, and gave the mail-carriers free passage over their ferries. Massachusetts established a "General Letter Office" in Boston, and fixed the rates of postage. The smallest charge 1693. was two pence "for every single letter June 9. from Europe, the West Indies, or other parts beyond the seas"; the largest, for a single letter carried between Boston and Maryland or Virginia, was two shillings. The conveyance of a letter from Boston to Salem cost three pence; to Ipswich, four pence; to Portsmouth, six pence. The carrying of letters or packets for hire by any but the servants of the postmaster-general was prohibited under a penalty of forty pounds. The postmaster-general and his servants were made liable to fines for negligence in their duty. Under the authority given by the General Court, Hamilton appointed Duncan Campbell, a Scotsman, to be his deputy in Boston. On a representation from Campbell that his receipts did not equal his expenditures, the Court granted him for 1694. several years an annual allowance of about June 20. twenty-five pounds, sometimes exceeding and sometimes coming short of that sum.

Neale's patent was for twenty-one years. Two years before it was to expire, the House of Commons, deliberating on the "ways and 1710. means for raising the supply granted to Feb. 14. her Majesty," resolved that "towards the raising

the supply, her Majesty's revenues, both inland and foreign, to arise in the General Letter Office or Post-Office, or the office of postmaster-general, be increased"; and the series of Resolves went on to specify higher rates of postage, which were to be demanded in every part of the Queen's dominions for inland or foreign correspondence. The postage of a single letter between New York and London, for example, or between New York and Boston, was fixed at a shilling; between New York and Salem, at a shilling and three pence; between Boston and any place not more than sixty miles distant from it, at four pence. The Act which was passed in pursuance of the plan of these Resolves was entitled "An Act for erecting a General Post-Office in all her Majesty's dominions, and for settling a weekly sum out of it for the service of the war and other occasions"; and one section of it required a weekly payment of seven hundred pounds to be made "into the Queen's Exchequer, in order to a supply of money for carrying on the war, and other her Majesty's most necessary occasions."

1635. In fact, from the first institution of a regular post-office in England, which was in the time of King Charles the First, the income from that source, sometimes obtained by a lease to a private party, had always been treated as a part of the royal revenue. It may excite surprise that while, by its English promoters, the character of this Act, as a measure for raising revenue, was

not only not concealed, but was expressly avowed, it does not appear to have raised in New England any resistance or animadversion on that account. The truth is, there was nothing in the Act, except the language of its title, to awaken jealousy as to its being a scheme for taxation by the Parliament of the mother country. Men in New England had been all along accustomed to look upon what they paid for the conveyance of their letters just as they looked upon payments for any other service rendered. It was no novelty for the persons who had rendered this service for them to be appointed under authority from the crown, and the service, as far as it included communications with England, could hardly have been well rendered otherwise. The people had been assured by their Boston postmaster, and had reason to believe, that the English post-office conducted their business for them at a cost greater than it was reimbursed for by the postage which it received; and the new arrangement promised a still better transaction of the business than that which had been experienced heretofore. In these circumstances, it would have been hard for them to make out a grievance from an Act which required useful work to be done for them at little cost, solely on the ground that the new Act, relating to all parts of the Queen's empire, called itself an Act for raising revenue.

The post-office department complained that it failed to get its dues because payments were

made to it in the depreciated colonial currencies. During the first half of the eighteenth century, the prosperity of Massachusetts was kept down by her use of a vicious substitute for money.

1711. Even before the disastrous result of the late expedition against Canada, the province was in arrears to her creditors to the amount of a hundred and twenty thousand pounds, and this though a tax of twenty-two thousand pounds had just been levied, and more than four thousand pounds were annually received from imposts and excise. Measures of retrenchment had been repeatedly resorted to or advised; but the difficulties of the time obstructed them, and in fact extremely little relief was obtained in that way.

This was not the worst of the difficulty. There was no sound currency for the transactions of commerce. Nearly down to the close of Dudley's administration, though in twenty years the amount of paper money had been largely increased, driving almost all the coin abroad, the precautions taken against a depreciation of it had had a considerable degree of success; but it broke down under the failure of the second costly expedition to Quebec. The embarrassments and discontents usual in such circumstances followed, and the devices, a thousand times conceived and as often defeated, for paying debts with something different from money. The brilliant prospects of the South Sea Company in England gave encouragement to schem-

ers. Some merchants of Boston presented a memorial praying "to have bills of credit made current to answer debt by laws," which was received with favor by the House. The wiser Council replied by asking a conference, in which, as we hear no more of the project, it may be presumed that they succeeded in exposing, to the satisfaction of their fellow-legislators, its injustice and futility. 1712. Oct. 29.

The governor proposed a plan of extrication from this dismal financial embarrassment, which after a sharp debate obtained legal sanction. A *public bank*, as it was called, was instituted, with a capital provided for it by the General Court, consisting of fifty thousand pounds in bills of credit. Its management was committed to five trustees, who were authorized to lend the bills for periods not to exceed five years, for an interest of five *per centum* annually, and a payment each year of one fifth part of the principal sum, the payments to be secured by mortgages of real property. The principal opposition to this plan proceeded from friends of the project of what was called a *private bank*. They proposed to form a company which should issue and lend its own notes, or bills of credit, the payment to be secured by mortgages on their estates. Their scheme was frustrated when the General Court, preferring the plan of the public bank, refused them an act of incorporation. But they did not despair, and the controversy which 1714. Oct. 20. Nov. 5.

they kept alive made for some years the prominent question in the politics of the province. A few judicious persons were in favor of making strenuously the exertions and sacrifices necessary for a speedy return to a solid currency. But in the difficulties of the time they could obtain little hearing, and, as a choice between evils, they generally favored the public bank.

Sir Henry Ashurst, head of the dissenting interest in Parliament, and Constantine Phipps, ancestor of the Marquesses of Normanby of the present time, had for many years been agents of Massachusetts in England. Phipps, attaching himself to the Tory Ministry which held power in the last years of Queen Anne, became thereby unacceptable to the people and General Court of Massachusetts; and about the same time Ashurst died. Sir William, his brother, equally respected for his worth, and regarded as a person of more ability and influence, was elected to be agent, against Dudley's strenuous opposition. But it was no object of ambition to him, the rather that he thought the agents had not been liberally treated, and he declined, pleading ill health, and recommending Jeremiah Dummer for the place. Dummer, grandson of a former Assistant of Massachusetts, and a graduate of Harvard College, was chosen to be agent, also against Dudley's recommendation of another person. After leaving Cambridge, Dummer had studied at the Univer-

1710.

1711. May 10.

sity of Utrecht for some years. Then, after a short visit to his home, he went to England, where he obtained the notice and engaged in the service of Henry St. John; and a prospect of advancement opened before him, which was closed by the Queen's death.

This appointment, especially after his opposition to it, made Dudley anxious. He feared that the failure at Quebec would be used to his prejudice. He wrote to Lord Dartmouth, protesting that everything possible had been done by him to promote the ill-fated expedition. "If after all my sincere endeavors in that affair," he said, "I should lose my reputation with the people here, and her Majesty's favor, I should be the most unfortunate man living. I have served her Majesty here faithfully these ten years. . . . . I have left nothing undone, ... and have had but a mean support, and yet am not willing to lose my station." As to his mean support, Usher, on the other hand, whom Dudley had usefully befriended (moved perhaps by the memory of their ancient participation in Andros's councils), affirmed that Dudley, though always complaining, had been saving money out of his pay. There is some reason to think that, at this time, Vetch was intriguing in England to supplant the governor. But he not long after fell into discredit and insignificance. Nicholson wrote of him from Boston to Lord Bolingbroke: "He hath, I think, 1712. Oct. 29.

1714. April 23. acted very arbitrarily and illegally, and hath defrauded her Majesty very considerably, ... and hath gone away."

The governor, as usual, set himself to conciliate those whom he found himself unable to break down. Sir William Ashurst was induced Aug. 10. to write out to Massachusetts, that, if Dudley should be displaced, the province might prove to be the loser. Phipps, who at first had pursued him with acrimony, had for a long time been won over. The agent and the governor, both devoted clients of the new Tory Ministry, were naturally brought together by this sympathy. Dudley never stood so strong in England as he did just before Queen Anne died and Lord Bolingbroke fled.

But though his desisting from the offensive demands with which he had begun his administration had removed the principal immediate cause of contention between him and the people of Massachusetts, and though the advantage to them of his activity and capacity in the conduct of the war did not fail to be appreciated, yet it would be an error to suppose that he ever reinstated himself in their confidence or goodwill, after the treacheries of his early public life.

When he had made a speech to the Gen- Sept. 29. eral Court, announcing the Queen's death, Oct. 1. the Council followed it up by a vote for a joint committee of the two Houses to prepare an Address to the King, praying a renewal of the

commissions of the governor and lieutenant-governor. The Representatives refused to concur in it; they refused, when solicited by the Council, to reconsider their vote of non-concurrence; and the Court was prorogued without further discussion of the matter. The governor Oct. 2. continued to execute his office for the present by virtue of an Act of Parliament, which was understood to extend such authority for a period of six months from the Sovereign's death. At the end of that time he withdrew, and the Council 1715. assumed the chief executive authority con- Feb. 4. formably to a provision of the charter. In a few weeks, however, came a royal proclamation, reinstating him in his place in time March 21. to preside at the next General Court.

One of the counsellors chosen by the new Court was Nathaniel Byfield, whom May 26. again the governor gratified his ill-humor by rejecting, whether on account of an unkindness of long standing, or because of Byfield's position as to the proposed bank. On the other hand, at this last moment of his power, he relented towards Elisha Cooke, and consented to his introduction into the Council. Soon came intelligence that one Colonel Burgess, who had served in Spain under General Stanhope, had June 20. by his favor received the royal appointment to be governor, and the Council voted to raise a joint committee to attend to "the reception of the governor speedily to be expected." But the

House would not consent. On the day to which, for the last time, Dudley prorogued the Court,

Nov. 23. Lieutenant-Governor William Tailer met them as chief magistrate in the absence of Colonel Burgess, who still loitered in England, and whose appointment he announced. He said nothing of the late governor's withdrawal. Tailer, a connection of Stoughton by marriage, and one of his heirs, had brought over his own commis-

1711. sion as successor to Povey four years before, having probably owed his advancement to approved military service at the capture

1710. of Port Royal. Nicholson in person, and

Nov. 20. the governor by letter, had introduced him favorably in England.

Dudley was now sixty-eight years old. He lived five years longer, but took no further part

1720. in public business. When he died, the

April 2. only newspaper in North America was owned by the postmaster of Boston, the greedy Scotsman, John Campbell. It commemorated the departed as "a singular honor to his country, and in many respects the glory of it; early its darling, always its ornament, and in his age its crown." It is happy for bad men of ability that injured communities are forgiving, that power and shining qualities confuse the moral judgment, and that apologists are so easily enlisted from among the interested and the ignorant, the good-natured, the reckless, and the insincere.

CHAPTER XI.

NEW HAMPSHIRE, RHODE ISLAND, AND CONNECTICUT.

In New Hampshire Dudley was not unwillingly received as governor, when he came thither soon after returning to America. In that province the causes for resentment that made him unwelcome in Massachusetts had been little operative at the time of their occurrence, and had been lost sight of in the lapse of years. In a letter to the Ministry he commended in warm terms the liberality of the province, "which bore the proportion truly but of the eleventh part to Massachusetts," yet had voted "five hundred pounds to begin the reform of their fortification" at the mouth of the Piscataqua, and had granted him an annual salary, for the whole period of his commission, of a hundred and sixty pounds, which he said was as much as they could afford, and as much for them as ten times the amount would be for Massachusetts. In other respects they satisfied him less, as he informed the Lords of Trade with much explicitness. The courts disappointed him by not condemning goods seized for alleged violation of the

1702. July 13.

1703. Dec. 19.

1704. Navigation Laws. "So it is, my Lords,
Feb. 11. that the judges are ignorant and the juries stubborn, that it is a very hard thing to obtain their just service to the crown, all which will be prevented if your Lordships please to let me have a judge of Admiralty settled here."

Next to the exposure to inroads from the French and Indian enemy, already described above, the main subject of concern to the people of New Hampshire was the pending controversy for their lands with Allen, the assign of John Mason. It was now about to be brought to an issue. Dudley was not unfavorable to the claim of the settlers; and the liberality of the Assembly, at the same time that it reciprocated his goodwill, bespoke his future favor.

Allen's son-in-law, Usher, succeeded in obtaining a reappointment to be lieutenant-governor of New Hampshire, notwithstanding the opposition of the agent of that province; and Partridge withdrew from public affairs to attend to the increase of his fortune at Newbury, where he
1702. died. Partridge had written to thank the
April 17. Lords for appointing Dudley to be governor of New Hampshire, and Dudley had ex-
1703. pressed himself to the same authority in
Aug. 5. terms of commendation of his subordinate
1704. in office; but, on the other hand, he declared
Feb. 29. himself pleased with the reappointment of Usher, and rendered to him a service which, as
1705. Dudley then stood, was more material, by

pronouncing a claim which he was urging on Massachusetts for a sum due in the settlement of his accounts, as former treasurer of that province, to be "very plain and just." Usher did his duty well in respect to the conduct of the war; but his antagonistic position in the controversy about the lands was fatal to his good standing with the Assembly, and they would do no more for him than to pay the rent of two rooms for his official residence, when he came to New Hampshire, and provide penuriously for the cost of his journeys to and from Boston, where for the most part he continued to reside.

Before the Privy Council, to which he had appealed, Allen failed to make out his case, for want of being prepared to show that Mason, whose rights he represented as assign, had ever been in legal possession of the lands in dispute. The Council referred him back to the courts of New Hampshire, where accordingly, as a test question, he presented his claim by a writ of ejectment against Richard Waldron, for lands held by the latter in the town of Exeter. The people raised no question with Allen as to the property of lands lying beyond the bounds of their townships. But this concession would not satisfy him; he must have the towns which they had labored and suffered in cultivating and defending for two thirds of a century. Dudley had orders to demand from the jury a special verdict on some points, to the end of facilitating an ap-

peal to the Privy Council, if the verdict should be against the claimant. But, when he was expected at the trial, he was detained, not unwillingly, it was thought, first by an alarm of an Indian inroad, and then by illness. The jury decided against Allen, and gave no special verdict. To avoid another troublesome appeal, the Assembly
1705. proposed a compromise. They offered to
May 3. Allen that they would formally disclaim all pretension to any lands except such as were included in their four towns, and in Newcastle and Kingston, which were in progress of settlement; and that they would set off to him five thousand acres within those six districts in consideration of a quitclaim to be given by him of the rest, and pay him two thousand pounds "current money of New England" in two yearly instalments.

He died before this agreement, so ad-
May 5. vantageous for him, could be concluded, and the controversy was inherited by his son, who received permission from the Queen in
1706. Council to have a new trial, with the same instruction to the jury as to a special verdict, as had been disregarded the year before. At the trial the counsel for Allen rested his case on the alleged grants of the Council for New England to John Mason, whose rights, such as they were, they had no difficulty in proving to have descended to their client; and they produced depositions given twenty years before by several persons, then aged, to the effect that Mason had taken actual

possession. The material points of the argument on Waldron's part were, that the Council for New England never made a legally valid grant to John Mason of the lands in question, and that, on the other hand, Waldron's family had been settled seventy years on those lands with a title derived from four Indian chiefs, whose 1629. formal deed of conveyance to the minister Wheelwright and others was produced in court. The jury returned a general verdict in Waldron's favor. They refused a special verdict, declaring that the occasion for it arose only when there was doubt as to law or fact, and that they had no doubt in respect to either. Before Allen's appeal to the Queen in Council was brought to any issue, his son and heir also died. The son's heirs were minors, and the claim was not renewed in their behalf; and so a quarrel which had subsisted since the foundation of the province seemed to come to an end. The question of the genuineness of the alleged Indian deed to Wheelwright has been largely discussed by modern antiquaries. That it was a forgery, must be now pronounced to be past dispute. At the time of the trial Usher denounced it as such, charging the act upon Richard Waldron. He argued, as has been done recently, that the Englishmen whose signatures were appended to the instrument were not in America so early.

The friendship between Usher and the governor was not lasting. Usher, who came to the govern-

1703 Oct 22. ment the year after his superior, professed to find that Dudley had not been devoted enough to the sovereign. "It is high time," he wrote to the Lords, "to have a governor Dec 30 who will assert her Majesty's prerogative, and curb the antimonarchial principles." And he added that of the subordinate officers commissioned by Bellomont, and still employed by Dudley, "many were disaffected to crown government." The truth was that Dudley befriended the local party with which in the late administration Usher had been at feud, and that he did not mean to be incommoded by interference on the part of his lieutenant. Usher undertook to restore Jefferys, who had been removed from December. the post of secretary by his predecessor. He complained that Waldron and Partridge had "misapplied the public money," and that Dudley wrongfully continued Hincks as commander of the fort, one reason for this favoritism being that "Hincks is a Churchman" (a member of the Congregational Church). "I must say Partridge and Waldron governs; nothing to be done but what they are for."

The lieutenant-governor's dissatisfaction cast off all reserve as time passed on. "The country," 1704. he wrote to the Lords of Trade, "is uni- Jan. 19. versally against him [Dudley], and he does not find one that gives him a good word; if we have not a change by having a new governor, we shall in a short time be ruined. . . . . We want a

good soldier to manage the war. . . . . 1708.
Nothing like a viceroy over all." It is not May.
likely that Dudley was acquainted with these letters, but the breach went on widening. Usher wrote to the Lords, "His Excellency is 1709.
pleased to tell me, when I go into the August 5.
province I put all in a flame." Dudley, on his part, informed them, "Mr. Usher has been very unfortunate in putting himself into Nov. 15.
Mr. Allen's affair, the delay of which has made him poor and angry, and particularly with Mr. Waldron." In a letter to Dudley, Waldron calls Usher "an envious, malicious liar." Dudley encloses it to the Secretary of State, and acquaints him that though Waldron's language is "too harsh," the statement which it clothes "is true."

Dudley ordered by letter that Waldron should be received into the Council, over which, in the governor's absence, Usher was presiding. Usher asked the secretary whether he had 1710.
received the warrant with the royal sign- Nov. 21.
manual appointing Waldron, and, being informed that it had not come, he refused to allow Waldron to be sworn, who, on his part, "said he should not take notice, but wait the governor's instructions," and then "parted sourly with his hat on." "When at any time," so Usher wrote, "I come into the Council, if Waldron is there before me, with disdain has his back some time to me, and at a distance says, 'Your servant,' with insulting deportment, affronts many and great, with disrespect

to the Queen's commission." Such were the official amenities of that place and time.

"An account of the circumstances and state of New Hampshire," drawn up by George Vaughan, agent of the province in England, represents it as
1708. July 6. containing "six towns; viz., Portsmouth, Dover, Exeter, Hampton, Newcastle, and Kingstown, — the two last very small and extraordinary poor; drove to great straits by reason of the war, there not being a thousand men in the
1709. March 1. whole government." Dudley wrote to the Lords, "I account New Hampshire is in value of men, towns, and acres of improvement just a tenth part of the Massachusetts, and I believe I do not misreckon to a hundredth part, their trade excepted, which will not make much more than the thirtieth part of Boston and dependencies."

After the death of Queen Anne, New Hampshire addressed the new monarch, to no purpose, with a petition for the reappointment of Dudley.
1715. March 18. William Vaughan and five other counsellors wrote to George Vaughan, still agent in London, "We pray Lieutenant-Governor Usher may have his quietus, which he said he had often written to England for. He complains his office is a burden to him, and the people think it is a burden to them, and so 't is a pity but both were eased." Usher was displaced, and George
1726. Sept. 25. Vaughan was made lieutenant-governor. Usher withdrew to his stately home at

Medford, in Massachusetts, where he died when nearly eighty years old.

The commission of Dudley authorized him to command the militia of Rhode Island; but that chaotic community did not afford a hopeful sphere for the application of his arbitrary principles. Soon after his return from his early visit to the eastern country, he went to Newport, attended from Boston by several members of his Council and others, and in form presented his claim to the governor and Council of Rhode Island. They referred him to the grant of the control over its militia made to the colony in the charter of King Charles the Second, and said they could take no step in compliance with his demand, except under authority from the General Assembly, which would not be in session till the next month. Dudley ordered the major of "the Island regiment" to parade his command on the following day. The major excused himself, saying he was sworn to serve the colonial government. In the Narragansett country, to which Dudley passed on, he succeeded better. The militia officer there in command made no trouble. "The whole body of the soldiers in arms" took the oath which he proposed; and, having "treated the soldiers as the time and place would allow," he went home. The governor and Council of Rhode Island came to the Narragansett country, and there "used all methods to bring back the people to confusion."

1702 Sept. 3.

Sept. 4.

Sept. 5.

Sept. 7.

Another matter of scarcely less interest was Dudley's claim, justified by an express order in his commission, to exercise admiralty jurisdiction. The governor of Rhode Island had issued commissions to armed vessels. Dudley held that Cranston had no authority for so doing, and that such commissions were void. Nathaniel Byfield, appointed Judge of Admiralty by Dudley, refused on this ground to condemn a French prize brought in by a Rhode Island privateer, and thereby gave such offence that, when he adjourned his court in Newport, he "was hooted down the street, without any notice being taken by any in the government."

Reporting these transactions to the Board of Trade, Dudley wrote that, when he published his instructions in Rhode Island, "the Quakers raged indecently, saying that they were ensnared and injured." He "could obtain nothing of them but stubborn refusal, saying they would lose all at once, and not by pieces." "I do my duty," he said, "to acquaint your Lordships that the government of Rhode Island, in the present hands, is a scandal to her Majesty's government. It is a very good settlement, with about two thousand armed men in it, and no man in the government of any estate or education, though in the province there be men of very good estates, ability, and loyalty; but the Quakers will by no means admit them to any trust, nor would they now accept

Sept. 17.

it, in hopes of a dissolution of that misrule, and that they may be brought under her Majesty's immediate government in all things, which the major part by much of the whole people would pray for, but dare not, for fear of the oppression and affront of the Quakers' part making a noise of their charter." In his passionate disgust against the colony, he called it "a perfect receptacle of rogues and pirates." He complained that not only would the Rhode-Islanders, with Massachusetts between them and harm, contribute neither men nor money to the war, but that they harbored and hid deserters from the camps. "While I am here [in Massachusetts] at twenty-two hundred pounds per month charge, the colony of Rhode Island hath not had a tax of one penny in the pound this seven years, which makes her Majesty's subjects of this province very uneasy under their charge and service in the field, while other of her Majesty's subjects sleep in security, and smile at our losses and charge, which are an equal service to themselves."

1703. May 10.

Dec. 19.

The Board of Trade, under instructions from the Privy Council, drew up charges, partly founded upon these complaints, and sent them to Dudley, who caused them to be served upon the authorities of Rhode Island, and proceeded to furnish to the Board a large mass of proof in support of the several specifica-

1705. Nov. 2.

tions. The Board repeated and adopted his representations in a Memorial to the Queen.

1706. Jan. 10. At the same time they made similar complaints against the colony of Connecticut, and also reported the contumacy of Massachusetts in refusing to rebuild the fort at Pemaquid, to contribute towards the erection of a fort at Piscataqua, and to settle salaries on the governor, lieutenant-governor, and judges. And the Attorney-General and Solicitor-General advised the Queen that in such a state of things as then appeared to exist in Connecticut and Rhode Island, or, as they phrased it, "upon an extraordinary exigency, happening through the default or neglect of a proprietor, or of those appointed by him, or their inability to protect or defend the province under their government, and for the protection and preservation thereof," it was lawful for the Queen to "constitute a governor of such province or colony." But matters of more importance claimed the attention of the home government, and nothing of the kind proposed was undertaken.

The question so long and angrily contested between Rhode Island and Connecticut about their boundary was brought at last, as was thought, to a settlement — as if of little importance to the stronger party — by an agreement between commissioners appointed by those colonies respectively. The construction of the charters always maintained by Rhode

1703. May 12.

Island was now assented to, so as that the line should run northerly from the Sound along "the middle channel of Pawcatuck River, *alias* Narragansett River," leaving the town of Westerly, and all east of it, on the Rhode Island side. The northern boundary also now came under debate. Dudley gave notice that questions of title to lands had arisen between citizens respectively of Mendon in Massachusetts, and Providence in Rhode Island, making it desirable "to renew the ancient line of their province, settled sixty-four years since." As Connecticut was equally concerned with Rhode Island in the southern line of Massachusetts, commissioners appointed by Rhode Island were instructed to communicate with the government of the other colony, "that they likewise may come, if they please, and see the departure, so that they may have no wrong, as well as us." "Several committees" were subsequently appointed to make this settlement, but for the present their negotiations "proved to no effect." 1707. Feb. 25.

In answer to a requisition from the Board of Trade, the General Assembly of Rhode Island passed a law for taking a census of the inhabitants. It was found that the total number was seven thousand one hundred and eighty-one, of whom one thousand and fifteen were freemen, and one thousand three hundred and sixty-two were enrolled in the militia. There were four hundred and eighty- 1708. April. Dec. 5.

two servants, of whom four hundred and twenty-six were blacks, twenty or thirty being brought every year from Barbadoes, but none directly from the coast of Africa. There were nine towns, in which it is observable that Newport with twenty-two hundred and three inhabitants had but a hundred and ninety freemen, Providence two hundred and forty-one freemen, with fourteen hundred and forty-six inhabitants, and Kingston two hundred freemen, with just six times as many people. Of shipping there were two brigantines, and twenty-seven sloops, navigated by a hundred and forty seamen. They carried on a commerce with the other Anglo-American colonies, with Madeira and Fayal, the West India Islands, and the Spanish Main. They were freighted with horses, lumber, and provisions, and some candles and iron, and brought back sugar, molasses, rum, cotton, ginger, indigo, rice, English manufactured goods of wool and linen, peltry, wheat, tar, pitch, resin, turpentine, wines, and some "pieces of eight" or Spanish dollars.

The Board of Trade were dissatisfied with the condition of this commerce. They sent a circular letter to Rhode Island and other colonies, complaining that prohibited articles, "such as rice and molasses, are produced and made in the said plantations, and carried to divers foreign markets in Europe, without being first brought into this kingdom, dominion of Wales, and town of Berwick-upon-Tweed, contrary to the true intent

and meaning of the foresaid laws [the Navigation Laws] to the great prejudice of the trade of this kingdom, and the lessening the correspondence and relation between this kingdom and the aforesaid plantations."

The colony was divided into two counties, called respectively by the names of Providence Plantations and Rhode Island. For every day of the session of a General Court that an Assistant was absent from his place, he was fined six shillings. The governor and his Council had not proper accommodations, and it was "enacted, that there shall be a room built on the side of the Colony House, of about sixteen feet square, and about eight to nine feet stud, for his Honor and Council to sit in." There was not yet, nor for many years after, a colonial provision for the instruction of youth, though a school was somehow kept up at Newport. Samuel Niles, who took his first degree at Cambridge sixty years after the founding of his colony, appears to have been the first young Rhode-Islander educated at a college.

1703. June.

1712. Feb. 27.

1699.

The backwardness of the colonies not immediately in danger from the French and Indians to take their fair part in the war was a constant subject of complaint in Massachusetts and in England, and as constantly strengthened the wish to transfer the command of their militia to the royal governors of Massachusetts and New York. Rhode Island made some contributions from

time to time to the common cause, but not without much haggling, and strong representations of her own exposure to invasion by sea, requiring all her attention and means for defence. After the attack on Deerfield, some volunteers from Rhode Island took the field under Colonel Church,

1704. May 3. and the colony made provision for paying them. When the war had raged a year

1705. Feb. 14. and a half, the Assembly, at Dudley's urgent request for assistance, raised a company of forty-eight men, which they authorized the governor to march into the "neighboring governments, as necessity might require."

1707. Feb. 25. Two years later, under a similar requisition from Massachusetts with reference to the proposed expedition against Nova Scotia, Rhode Island called out eighty volunteers, and

1709. June 27. bought a vessel to convey them. She placed under the command of Colonel Nicholson an auxiliary force of two hundred men for the frustrated expedition against Canada.

1711. May 2. June 28. When the project was renewed, the colony contributed from its eight towns a hundred and sixty-seven men, of which number forty-seven were taken from Newport, and from Providence

1710. July 30. and Kingston thirty-five each. The heavy expense was met, as in Massachusetts, by

Oct 25. Nov. 27. issues of bills of credit, which it proved necessary to protect by severe laws against counterfeiting. Rhode Island was much longer than her sister colonies in extricating herself from

the embarrassment entailed by this miserable system of unfounded credit.

Two years before Dudley's retirement from office, he was "of opinion that Rhode Island had twenty-five hundred fighting men, and Connecticut seven thousand." The military organization of the former colony appears to have been falling at that time into an unsatisfactory state, partly perhaps by reason of the Quaker element in the government. "The Assembly, having been credibly informed of the irregular proceedings of the soldiers in their election of military officers," passed a law continuing in their commands for the present the officers then holding commissions; and directly after, the choice of military officers, given by an old law to the towns, was taken from them, and made a function of the governor, Council, and Assembly.

1712. April 8.

1713. May 6.

June 16.

Connecticut, at a safe distance from the seat of the eastern war, perhaps somewhat affected by the apathy of the governor of New York, and at the same time offended by his claim to command her militia, took no part in the early conflicts of Massachusetts with the French and Indians in Queen Anne's reign. The colony declined a proposal from Governor Dudley to assist the expedition against Acadia. Fitz-John Winthrop was governor for ten successive years, till his death. After the election to the chief magistracy of a

1707. April 2.

Nov. 27.

Dec. 17.

clergyman, Gurdon Saltonstall of New London, which was renewed through seventeen successive years, the colony assumed a more spirited attitude. Connecticut raised with alacrity her proportion of troops for that expedition against Canada, which never got so far as the border, and, like her sister colonies of New England, supplied or rather simulated the means by bills of credit. When the military operations were renewed in the next year, the zeal of Connecticut again appeared, and she sent three hundred men in five transports to the capture of Port Royal. In the following summer, the governors met at New London to consult upon the larger enterprise which was now contemplated. Connecticut raised three hundred and sixty men for it, to be employed in the diversion by Lake Champlain, while the fleet and army, under the command of Walker and Hill, should go up the St. Lawrence to Quebec; and Governor Saltonstall himself led them as far as Albany. The great disaster which followed has already been described.

1709. May. June 1710. October. 1711. June. August.

Connecticut, happier than the two northern colonies, had never been invaded during this war, though once the danger of an inroad appeared such that the General Court ordered the fortification of four border towns. In four years the colony issued bills of credit to the amount of thirty-three thousand five hundred

1709–1713.

pounds, but so judicious were the arrangements for their redemption, that they appear to have been scarcely at all depreciated, before the final extinction of the debt. The Act of Parliament which made arrangements "for erecting a General Post-Office in all her Majesty's dominions, and for settling a weekly sum out of it for the service of the war and other occasions," caused no more uneasiness in Connecticut than in Massachusetts. The establishment of posts under an authority common to all the colonies was a great practical convenience, and the political significance of the measure attracted little notice. But it was a faint prelude to Mr. George Grenville's Stamp Act. 1710.

The agreement respecting the eastern boundary line of Connecticut, adopting the construction maintained from the first by Rhode Island, has already been mentioned. Connecticut was tired out by her pertinacious neighbor, and the territory in question was not worth the trouble of a prolonged and, after all, uncertain contest. Connecticut renewed the question upon the correctness of her northern line, coincident with the southern line of Massachusetts, which had been laid down agreeably to a survey made by the ship-masters, Woodward and Saffery, sixty-six years before. The matter in dispute respected the line of latitude which bounded Massachusetts on the south, three miles south of the most southerly part of Charles 1708. May. 1642.

River. Massachusetts insisted that it had been correctly drawn; that if it had not been, it had been recognized and ratified in the royal charter to Connecticut; and that, at all events, possession for two thirds of a century ought to be held to give a title. Massachusetts, however, at length consented to have a new survey, under the superintendence of commissioners of the two colonies, it being first stipulated that, in the event of any readjustment of the boundary, towns should continue under the jurisdiction of the colony to which they had hitherto belonged, and that compensation should be made by equivalent grants of other land. The result was an agreement that, by the divergence of the erroneous line of latitude, Massachusetts had encroached upon Connecticut to the extent of nearly a hundred and eight thousand acres. Massachusetts accordingly made a transfer of other land to that amount, which was presently sold by Connecticut for six hundred and eighty-three pounds in currency, a price amounting to about six farthings an acre; such was the value of land in that day. The proceeds were given to the infant College. The domain of Connecticut appeared to be defined on all sides, when in the same year commissioners from that colony and from New York erected monuments to mark the line agreed upon thirteen years before.

1713.

1713.

The colony was involved in another controversy with the remnant of the Mohegan Indians.

Major John Mason, conqueror of the Pequods, had, in behalf of the colony, bought of the Sachem Uncas certain lands, which 1659. the colony, in its turn, had conveyed to English proprietors. His grandson, of the same name, associating with himself some other disaffected persons, pretended that both the Mohegans and Major Mason's heirs had been overreached and wronged by the colonial authorities, who, as they alleged, had occupied more land of the former than they had bought, and had taken to themselves the benefit of a purchase made by Major Mason on his private account. For the sake of peace and the credit of magnanimity, the government offered to the chief Owaneco, who represented the Indians, to pay them again for the land. But Mason and his friends interfered, resolved to obstruct any accommodation.

One of them went to England, with a 1704. complaint against the colony for extortion July 19. from the natives, and the Queen appointed a commission of twelve persons, two of whom were the governor and lieutenant-governor of Massachusetts, to investigate the affair. Messengers from the governor of Connecticut 1705. appeared before this court, and ques- Aug. 24. tioned its jurisdiction. They were ready, they said, to show the injustice of the complaints against their colony, if the object of the commissioners was only to obtain a knowledge of the facts, with a view to a report to the Queen ; but

if the commissioners claimed power to decide the question judicially, they had no duty except to protest against that pretension. The commissioners assumed the right to decide as to the property of the territory in dispute, and adjudged it to the Mohegans and their friends, at the same time mulcting the colony in costs to the amount of nearly six hundred pounds. Dudley represented to the Lords of Trade that he and his associates were treated on this occasion with rudeness and insult. Sir Henry Ashurst, by a petition to the Queen in Council, succeeded in arresting further proceedings; but it was not till forty years later that the question was put to rest, when it was decided in favor of the colony.

Nov. 1.

1743.

The representations made by Dudley upon this subject refreshed and strengthened the unfavorable impression made upon the royal Privy Council by his hostile statements relating to a variety of other matters. Never without some disturbing ambition, he was now haunted by the dream of a promotion to the extensive government which had been enjoyed by Andros. The colonial charters stood in his way. If they could be cancelled, the sovereign might appoint a governor or governors at pleasure. Though not overlooked in his plan of revolution, the charter of Massachusetts, as the most recent, offered the least encouragement to an assault. Those of Rhode Island and Connecticut belonged to a

former reign, which was now in no good credit; and no living English statesman could be supposed to have an interest in them, or any objection to their being overthrown in law. Lord Cornbury, besides his despotic impulses, had plans of his own, which disposed him to be Dudley's ally; and his private influence, which was great, especially from his near relationship to the Queen, was given to the governor of Massachusetts. Like Rhode Island, Connecticut was charged with a maladministration in various particulars justly punishable by a loss of the charter; with violations of the Acts of Trade and Navigation; with encouraging mari- 1705. time disorders, liable to be qualified as Nov. 26. piracy; with refusing or neglecting, when lawfully summoned, to furnish military levies; with executing capital punishment without authority from the charter; with denying justice in its courts to the Queen's subjects, not inhabitants; with disallowing appeals to the Queen in Council; with refusing to commit its militia to governors of neighboring colonies, holding the Queen's commission for that command; and with obstructing members of the Church of England as to their freedom of worship: to all which charges was now added that of contumacy in the recent denial of the authority of the royal com- 1706. missioners to pass upon the complaint of Jan. 10. the Mohegan Indians.

This last proceeding occurred at a time which

made it especially serviceable for the purposes of the plotters against the colonial governments. Their unfriendly representations had already so far prevailed that a bill was brought into Par-
1704. liament, declaring the charters of various colonies in America, and among them all the charters for New England, to "be utterly void and of none effect," and vesting all their powers
1705. and privileges in the crown. At a hearing
Feb. 12. before the Privy Council, Sir Henry Ashurst, appearing with legal counsel for Connecticut, argued in respect to some of the proceedings complained of, that they had not in fact taken place; in respect to others, that they were justified by the charter. And he obtained leave for copies of the charges to be sent to the governor of Connecticut, and for time to be allowed him for further reply. At this critical moment the transactions with the commissioners on the claim of the Mohegan Indians intervened. The Privy
December. Council directed the Board of Trade "to
1706.
Jan. 10. lay before the Queen the misfeasances of the proprieties, and the advantages that may arise by reducing them," which was accordingly done. There is extant a draft, belonging to this period, of an Act of Parliament declaring that "the sole power and authority of governing the said [the American] plantations and colonies, and every of them," and "of appointing governors and all other officers," is "forever united to the imperial crown of Great Britain." A bill passed

through the House of Commons "for the better regulation of the charter governments, and for the encouragement of the trade of the plantations." But it failed of obtaining the concurrence of the Lords. There were legal embarrassments, opinions differed as to the relative expediency of different methods of restraining the colonies, and the war raging upon the continent of Europe demanded the attention of English statesmen; so that again, for the present, the question went by. February.

An important change was made in the ecclesiastical constitutions of Connecticut. Throughout the settlements and the history of New England there had been a succession of departures from the original theory of the mutual independence of the churches. In Connecticut the opinion now prevailed that a more energetic system of church government had become necessary than at present existed, or was consistent with the theoretical independence of the several congregations. The Legislature convoked a synod of ministers and lay delegates to deliberate upon the subject. Twelve ministers and four delegates, deputed by ministers and messengers of the churches in the several counties, came together at the town of Saybrook, from which the result of their deliberations derived the name of the *Saybrook Platform*. Having adopted for their constitution the Confession of Faith of the *Reforming Synod* held at Boston twenty-eight 1708. May 13. Sept. 9.

years before, and the "Heads of Agreement assented to by the United Ministers [in England], formerly called Presbyterian and Congregational," they proceeded to arrange a system which made some partial approximation of Congregational to Presbyterian usages. It provided that "the particular pastors and churches, within the respective counties in this government," should "be one consociation, or more, if they should judge meet, for mutual affording to each other such assistance as may be requisite, upon all occasions ecclesiastical"; and the authority hitherto exercised by councils formed by voluntary selection by individuals or churches was vested in councils appointed by these bodies. Disobedience to the decree of a council so constituted was to be punished by excommunication of the contumacious pastor or church. A council might invite a council from a neighboring consociation to aid in its deliberations, and a church might designate permanent representatives to appear for it in councils convened from time to time. And it was recommended that a General Association of representatives of all the churches in the colony should be held every year at the time of the civil election.

1692.

The plan became law by the action of the General Court, who attached to it, however, a prudent provision, "that nothing herein shall be intended or construed to hinder or prevent any society or church that is or shall be

Oct. 14.

allowed by the laws of this government, who soberly differ or dissent from the united churches hereby established, from exercising worship and discipline, in their own way, according to their consciences." One consociation was organized in each of the four counties, except in the county of Hartford, which had two; and the same organization has been continued to the present day. The General Court ordered the printing of an 1709. edition of "the Confession of Faith, the May 12. Articles of Agreement between the United Brethren in England, formerly called Presbyterian and Congregational, together with the Discipline agreed upon by the General Council of the reverend elders and churches assembled at Saybrook." It was thought that the ratification of the Articles of Agreement, which allowed greater latitude in faith and administration, helped to disarm opposition to the new Discipline.

Another important movement of this period was the establishment of the venerable institution now so widely and honorably known by the name of *Yale College*. For sixty years the only school for higher education in New England had been Harvard College, at Cambridge. The people, and especially the clergy, of Connecticut naturally desired the benefit of a similar establishment nearer home. The three ministers of New Haven, Milford, and Branford first moved in the enterprise. Ten ministers, nine of them being graduates of Harvard College, met at 1700.

Branford, and made a contribution from their libraries of about forty volumes in folio "for the founding of a college." Other donations presently came in. An Act of incorporation was
1701. Oct. 9. granted by the General Court. It created a body of trustees, not to be more than eleven in number nor fewer than seven, all to be clergymen and at least forty years of age. The Court endowed the College with an annual grant, subject to be discontinued at pleasure, of one hundred and twenty pounds in "country pay," — equivalent to sixty pounds sterling. The College might hold property "not exceeding the value of five hundred pounds per annum"; its students were exempted from the payment of taxes and
1703. Oct. 14. Oct. 21. from military service; and the governor and Council gave a formal approval of its application to the citizens for pecuniary aid. Judge Sewall, of Massachusetts, and Addington, secretary of that province, concerned for what to their sensitive vigilance seemed the declining orthodoxy of Harvard College, which
1701. Oct. 6. they would gladly compensate elsewhere, furnished to the clergymen interested in the project the draft of a charter for their institution. But whether it was that the arrangements were already matured, or that a different judgment prevailed, their proposals do not appear to have influenced the projectors or the law-makers.

The first president was Abraham Pierson, minister of Killingworth, where he continued to

reside, though the designated seat of the College was at Saybrook. Eight students were admitted, and arranged in classes. At each of the first two annual commencements one person, at the third three persons, received the degree of Bachelor of Arts. President Pierson was succeeded, at his death, by Mr. Andrew, minister at Milford, to which place the elder pupils were accordingly transferred, while the rest went to Saybrook, where two tutors had been provided to assist their studies. 1702. 1703. 1704. 1707. March 5.

In the last year of Queen Anne's life the people of Connecticut were about twenty-seven thousand in number. Four thousand men were enrolled in the militia. The colony had twenty or thirty vessels, mostly sloops, and not more than a hundred and twenty sailors. Grain and other provisions were sent from it to Boston and New York; masts and naval stores to England; and horses, provisions, and cattle to the West Indies, whence returns came in rum, sugar, and molasses. "For the preservation of timber" the exportation of it was restricted. In a temporary scarcity of grain in Massachusetts and Rhode Island, the exportation of it was forbidden except to those colonies. Of the bills of credit which had been issued to the amount of thirty-three thousand and five hundred pounds, all but twenty thousand had now been redeemed. The valuation of estates in Connecticut amounted to three hundred and one thousand pounds. There were 1713.

thirty-eight towns, and forty-three ministers, or one minister to about eighty families. Ministers were exempt from taxes of every kind. The right to vote in their election was not limited to communicants, but belonged equally to every person qualified "to vote in all other town affairs." Only travellers might "drink any strong drink . . . . . in any tavern or house of public entertainment." "Liberty of worshipping God" was guaranteed on the same terms as those specified by an Act of Parliament of the first year of King William and Queen Mary. The observance of the Lord's Day was guarded with rigor; a vessel in Connecticut River within two miles of a meeting-house might not change her moorings on Sunday, except to approach it.

During recesses of the General Court a permanent Council, consisting of the governor, two Assistants, and "three or five judicious freemen" invited by the governor, had charge of the public affairs. The salary of the governor, to which from time to time were added gratuities, was raised in a series of years from a hundred and twenty pounds a year to two hundred pounds. Editions of the Laws were printed and circulated in the towns. The reception of illegal votes was held to cancel elections. The government was as firm as lenient, and easily repressed any petulance even of its highest men, as was shown in an instance when Captain Wadsworth gave offence. The public attended with thoughtful humanity to the misfor-

1703–1715.

1715. May 12.

tunes of the insane, of idiots, of soldiers returned from captivity. With a parental care it provided, from time to time, for the wants of the poor and sick, and the protection of injured persons in circumstances not contemplated by the general laws. Even the unwary receiver of counterfeits of its bills was "saved harmless." It was unwearied in providing for the comfort of the Indians, and for their protection against the rapacity of their neighbors. On the other hand, it guarded against their being practised upon to their own harm and that of the colony, by a strict order against the admission of Indians made prisoners in the war then waging in South Carolina.

A condition of society so happy as that enjoyed by Connecticut at this period, especially during the long administration of Governor Saltonstall, has been rare in the experience of mankind. If from time to time the charter of her liberties was threatened, the danger of a repetition of such misgovernment as that of Andros was too remote to excite serious solicitude. A prevailing mutual respect and confidence softened the intercourse among citizens, and between citizens and rulers. The friendly sentiments inspired by religious faith were promoted by a general harmony of religious opinion. An education sufficient for the advantageous transaction of business, for the enjoyment of leisure, and for a measure of refinement of mind, was offered at the public cost to the youth of every family

near its own door. Frugality and industry, friends to rectitude and content, secured a comfortable living, and a comfortable living was not to be had without them. A steady but unoppressive force of public opinion rendered a life of blameless morals easy and attractive, and assured to a public-spirited and religious life a career of dignity and honor. A remarkable approach to an equal distribution of property prevented the assumptions and resentments of caste, and the jealousy of disproportioned privileges. The people of Connecticut enjoyed to a singular degree a fulfilment of their prayer "that peace and unity might be continued among them, and that they might have the blessings of the God of peace upon them."

1714. Aug. 1. Intelligence of the death of the Queen, and of the accession of the Elector of Hanover to the throne of Great Britain, having been received in a letter from Jeremiah Dummer, orders were given for noticing both events with due solemnity; and an Address of congratulation was despatched to the new sovereign. A vessel in which a more formal communication had been sent out by Lord Bolingbroke was wrecked; but the document was picked up and brought to its destination, and, out of scrupulous regard for form, or of exuberant joy at the renewed security of the Protestant succession, a second proclamation of the new reign was made with more pompous ceremony.

Oct. 13.

Aug. 5.

BOOK V.

PROGRESS UNDER THE HANOVERIAN KINGS.

CHAPTER I.

ADMINISTRATION OF SHUTE.

The difference made by the course of events through two or three generations, in the relations between the colonies of New England and the parent country, was more and more defined. The Great Rebellion, though defeated by its own excesses, had made a permanent change in the system of English politics. The principles that excited that movement had reappeared in sufficient force to drive into banishment the odious dynasty which had provoked it. The spell of hereditary succession had been effectually broken, for two elected monarchs had occupied the throne with reigns of no short duration, and now a third had taken a peaceable possession of it, the security of which was only illustrated by the issue of a feeble rebellion. 1715.
The last serious danger of usurpation on the part of the Church of Rome might well be considered to have passed away, when the plots of Queen Anne and her last Ministry in her brother's favor

had been foiled, and the people of England had bravely preferred the unwelcome expedient of taking for their King the head of a moderate German principality, a man advanced in years, ignorant of their institutions and even of their language, of unattractive presence and coarse manners, of private habits no better than those of the last Stuart monarch, and even avowedly taking little interest in the affairs of the kingdom to which he had so strangely been promoted.

If the Protestant Church establishment of England continued to be arrogant, still under such prelates as Tillotson and Tenison, Patrick, Burnet, and Hoadly, there was little reason to apprehend that it would reassume a distinctly persecuting attitude. The tolerance of William the Third, whether proceeding from magnanimity or policy or indifference, had exerted to some extent a wholesome influence on the national habits of thought, and in the recent political complications the dissenting body had had a place which enabled them to command a degree of respect, and to act with some efficiency for their own protection. The Toleration Act of William the Third had given to non-conformity a recognized legal position, and the restraints which ostensibly the law continued to impose were in a great measure forgotten or disused. In the Tory ascendency of the last four years of Queen Anne's reign, there was a reaction of church bigotry under the lead of the infidel Lord Bolingbroke; and the

Act against Occasional Conformity, and what was called the Schism Act, insulted and embarrassed dissenters anew. But, in the divided and fluctuating condition of public sentiment, it was reasonably hoped that these would prove to be only spasmodic movements; and the event speedily justified that expectation, for the repeal of the obnoxious laws was an early proceeding of the next reign. The plot of Queen Anne's latest favorite to set aside the Protestant succession at her death was not known at the time, as it has since been exhibited by the disclosure of contemporary documents. But the moment when, if the legal settlement was to prevail, the crown of the Stuarts was to pass from a native-born princess, however slight her claim of regular inheritance, to a German stranger, was reasonably regarded as extremely critical; and when the Elector of Hanover had been quietly proclaimed and received as King of England, a heavy weight was lifted from the minds of English friends of freedom.

The people of Massachusetts had their full share in this relief, and in the grateful sense of it. Had the sovereign who was just dead been succeeded by her Catholic brother, the fear of what had been suffered and threatened during the earlier rule of their infatuated family would reasonably have revived. Had her life been prolonged, no little trouble seemed in store from the arbitrary policy of the counsellors to whose direc-

tion she had yielded her feeble mind. In either case Joseph Dudley would be likely to be continued in his government, and his ancient offensiveness would be not unlikely to be renewed under superiors of similar character and views. As things turned out, the conspiracy in the midst of which she died, foiled as it was, was of vast service to English liberties.

George the First knew nothing about English liberties, and may be presumed to have cared as little, besides being too old to begin to learn. In his own insignificant realm he had been a despot, though in a benevolent way. But it was easy for him to be informed who it was that had schemed against his succession to the throne of England, and accordingly the doors of his council chamber were shut close against the Tory statesmen. The Duke of Marlborough (Whig and Tory by turns) was slighted. Bolingbroke and the Duke of Ormond fled to France, to which country Atterbury too was banished. Oxford was sent to the Tower, to await his trial for high treason. The administration was committed to Lord Townsend, General Stanhope, and other men disposed, on the whole, by their sentiments and connections, to a liberal policy in religious affairs. The Whig party of England was not what it had been; it had lost no little of the courage and disinterestedness which had assured to it the love and confidence of the people of New England. But the selection which was presently made of a

new governor for Massachusetts might seem to authorize the expectation that her religious position would not be unkindly regarded in the new reign.

During the greater part of the quarter-century since the provincial charter of Massachusetts went into effect, the necessities of war had chiefly attracted the public attention; but in the provincial administration there had not been wanting manifestations of a policy of self-defence against the home government, in the steady refusal to submit to instructions which respected military service, and especially to those which related to stated and permanent provision for officers of the crown. While the provincial charter had divested the colonists of very important ancient privileges and powers, it had left the King's governor dependent on the provincial Legislature for his support, for which the government at home made no provision. In this prerogative of a legislative body, chosen by the people directly in one branch, and nominated by them indirectly in the other, and in its other prerogative of originating laws, consisted the protection of the people against arbitrary designs of the governor, and of the monarch or court whom he represented. The future was to show what occasions would present themselves for the use of these powers, and how effectual they would prove. The powers themselves were created by the charter, a withdrawal of which instrument, if that were possible, would annihilate

them; and they were further liable, in cases which might arise, to receive a more or less favorable interpretation in the English courts. Such were facts which demanded cautious consideration, and a policy at once firm and inoffensive, on the part of a people who had not strength to maintain themselves in arms against the hostility of England, and who had no longer, as they had had in their early history, the alliance of an array of powerful sympathizers in Parliament and about the throne. Though no great question was now at issue between the British government and its dependency of Massachusetts, like that which had bred disagreements during the period of the first charter, and though the charter of William and Mary had aimed to fix with precision the limitations of power on both sides, there still remained, in its construction and application, large room for dispute. The British Ministry could restrain Massachusetts by means of the high powers vested by the charter in the governor whom they appointed, and by the authority which the charter gave them to rescind even such colonial laws as had received the governor's assent. Massachusetts could resist the Ministry by distressing the governor as to his means of living, and by refusing to accommodate to their wishes the character of her Legislature and her legislation.

1715. Nov. 26. Almost the first act of Lieutenant-Governor Tailer was to approve an allowance which had been made by the General Court to

the heirs of Dudley's enemy, Elisha Cooke, of three hundred pounds, for services rendered by him in his agency in England. The Court voted an Address to the King, praying, first, a continuance of the privileges granted by the charter; secondly, encouragement to the production of naval stores; and thirdly, precautions against the enlarging settlements of the French in Cape Breton, to which island they had betaken themselves in considerable numbers, after their loss of Nova Scotia. John Usher thought that now was his chance, if ever it was to be, to get a favorable hearing for his often-repeated claim as former treasurer of the colony. He represented that the province owed him more than a thousand pounds, besides sixteen hundred pounds for interest for the twenty-six years since the Revolution. The Court resolved that they owed him nothing, and thenceforward he ceased to urge the suit. Colonel Church, the partisan of the Indian wars, was regarded by them with different feelings. They provided for the comfort of his old age with a gratuity of sixty pounds. They sent to the King an Address of congratulation on the success of his arms against the Popish pretender, and voted to set apart a day for Thanksgiving for the suppression of "the late horrid and unnatural rebellion."

Dec. 3.

Dec. 21.

1716. June 18

June 2.

In the hot dispute which arose out of the financial question of the day in Massachusetts, Colonel Burgess was for some reason supposed

to be inclined to what was called the *private bank* party, and his appointment was accordingly unwelcome to many of the most important persons in the province. Their views, urged in England by one of the most active of them, Jonathan Belcher of Cambridge, were also maintained by Jeremiah Dummer, the new agent, and by Sir William Ashurst, who, though he had refused the agency, never ceased to interest himself in the affairs of the province. To Burgess the government of Massachusetts was nothing but a job, and for the consideration of a thousand pounds, furnished by Dummer and Belcher, he agreed to decline the promotion. The choice next fell upon Samuel Shute, also a colonel in the army, a brother of John Shute, afterward Lord Barrington in the peerage of Ireland. John Shute, though at a later time expelled from Parliament for alleged dishonesty in some lottery transactions, was now a person of political importance, especially in the non-conformist circles. The maternal grandfather of the brothers was the famous Presbyterian minister, Joseph Caryl. The governor had been a pupil of Charles Morton, the bold minister of Charlestown in the time of Andros.

Under the same influences, Lieutenant-Governor Tailer was superseded, and his place was given to William Dummer, son-in-law of Governor Dudley, a native of New England, but for some years resident in the parent country. Dudley was much gratified by this arrangement,

which he professed to regard "as a mark of the King's favor for his thirteen years' successful service to the crown," though, had the benefit been withholden, his "loyalty and good behavior to the government should have been equally apparent to everybody. The King," he added, "has forever endeared the hearts of his loyal subjects in these provinces by appointing so prudent and good a man as Colonel Shute to rule over them. I am now grown old, and having lived to see his Majesty triumph over his enemies, and the administration of the kingdom settled in a wise and faithful ministry, I think I have lived long enough." Nov. 16.

More than two years had passed since the death of Queen Anne when the new governor of Massachusetts came to Boston, though his appointment had been known there for four months. In Massachusetts, according to the information in possession of the Board of Trade, there were then ninety-four thousand white people, besides two thousand negroes, and twelve hundred Christian Indians. Their commerce was active; they dealt with some profit in timber and cured fish; their ship-building amounted to six thousand tons annually; and their manufactures supplied a large part of their demand for the coarser kinds of cotton and woollen cloth. The aggregate white population of the rest of New England was understood to amount to sixty-four thousand souls. Oct. 4.

It was impossible that the task which lay before the new governor should prove to be an easy one. The generation on the stage of active life had been living under strong excitements, and questions of agitating interest between them and their foreign rulers were still pending. With a few short interruptions the war with the Indians which had just been closed had harassed the people of New England, and furnished the main object of their attention, for forty years. Of this period twenty-five years had passed under that new constitution of government, which took away some material powers and privileges enjoyed under the colonial charter. The passion for self-government, thus restrained, had been delayed by the troubles of the times in marking out a definite course of opposition. But the traditions of freedom were still venerated and cherished. In the time of the able and resolute Governor Dudley, the people had made experiments on their strength, the result of which, if not conspicuous, had not been discouraging. Not only was his successor an antagonist less formidable in proportion to his greatly inferior abilities, but the state of affairs more easily admitted of a contest with him without prejudice to other interests. It was a dangerous as well as a thankless operation to embarrass Dudley while he was prosecuting an Indian war. When the public enemy was quieted, internal dissension became safe. There was always least danger of collision between the two parties in times of

foreign war. As often as her borders were invaded by the allied French and Indians, the policy of Massachusetts leaned towards conciliation and deference to the government whose assistance was so desirable, while the Ministry, on the other hand, was interested to keep Massachusetts favorably disposed. When peace was restored, the domestic quarrel was ready to break out afresh.

Thus the pacification of Utrecht, binding the French to refrain from hostility, having just deprived the Indians of that alliance which was their main stimulus and strength, the people were less liable than in the past years to be incommoded by a quarrel with their governor and his masters. Shute came into his office with one advantage in respect of favorable prepossessions on the part of those whom he was to govern. He was, to be sure, a dissenter from the Church of England, which Lord Bellomont never was, and which the facile courtier Dudley had ceased to be. But religious sympathy was no longer the bond of union that it had been between the non-conformists of England and of the colonies. There was no longer a common ambition, or a sense of common danger. Nothing could be more different than were the persecuted non-conformist ministers of the times of the Charleses, and the easy non-conformist ministers of the time of Anne, husbands of the daughters, of whom Shute's mother was one, of London citizens magnificent on the exchange. The legisla-

tion in England during the reign of King William, while it had given to dissenters in England all the advantages which at present they could hope for, had given to dissenters in Massachusetts all which they desired. The national church, it is true, had set up its worship among them; but that was an annoyance from which they could no longer have any expectation of escaping, and to which, in the course of thirty years, they had become accustomed, if not reconciled. Of the new governor, in other respects, they could have scarcely heard anything, except that he was a person who possessed some interest with the new managers of England, and who had coveted some office that would enrich or support him. There was no reason why they should welcome him with ardor; he came not to gratify or benefit them, but to get a living and to execute his orders; and he found them in no humor to be well pleased with anything. Year after year they had been fighting the French, with all but ruinous ill-success, with no useful help from England, and through a succession of quarrels with the incompetent and overbearing English officers who had misused their money, wasted their force, and protected themselves by maligning their character. They were very poor, and, in two parties about equal in strength, they were angrily discussing the cause and the remedy of their poverty.

Such was the state of things in Massachusetts to which Shute was to accommodate his govern-

ment. His abilities, without being contemptible, were not such as to fit him to confront a resolute and able opposition. He was good-natured and fair; but at the same time was capable of taking hasty offence, and of being impelled by it to imprudent action. Without jealousy of prerogative, or personal pride, he was alive to the soldier's point of honor in obedience to orders; and, while to many of the subjects of his government the mere thwarting of the Ministry had become a sufficient motive for persisting in a measure, the governor found sufficient justification of a measure or a pretension in the fact that it suited the Ministry's will. It was impossible that in the circumstances the provincial government constituted by King William's charter should work smoothly. The governor considered it to be his business to promote the wishes of the British courtiers, and the interest of the British traders. The Representatives considered it to be theirs to look after the well-being of their constituents, which they assumed that they better understood than it could possibly be understood by a Spanish campaigner, — a stipendiary and creature of General Stanhope. He took the right side as to the most troublesome question of the time. But, even in so doing, he exposed himself to the displeasure of some of the best men about him, and threw them into an acrimonious opposition to his government, while the party with which he allied himself, having already substantially won the day,

had not much need of service from him, and did not much care for his patronage.

Shute's commission was in the same terms as that of his predecessor, not excepting even the authority to command the militia of Rhode Island. His instructions were digested in seventy-eight articles. Among other things, he was directed to transmit to England a copy of the laws of his province within three months, or by the first opportunity, "upon pain of the King's highest displeasure, and of the forfeiture of the first year's salary." He was "to propose to the General Assembly, and accordingly to use his best endeavors with them, that an Act be passed for the settling and establishing fixed salaries" upon the governor, lieutenant-governor, and judges for the time being, and "for the building of a fit and convenient house" for the governor. He was to persuade the province to rebuild "that important fort at Pemaquid, which they too easily suffered to be taken and demolished by the French during the former war." He was "to provide by all necessary orders, that no person have any press for printing, nor that any book, pamphlet, or other matters whatsoever be printed without his special leave and license first obtained."

His first act in Massachusetts was to prorogue the Legislature, which was to have come together in a few days, to a time which would afford opportunity for some inquiry and consultation

It was unavoidable that he should be at once beset with gloomy representations respecting the condition of the currency, and consequently of trade, and with discordant representations as to a remedy. In his first speech he urgently called the attention of the General Court to that ungrateful but inevitable subject. He informed them that he was instructed to revive the subject of a stated salary for himself, and to say that "Massachusetts was the only province in America under the crown of Great Britain which did not settle a salary on its governor and lieutenant-governor"; to complain of the unlawful "cutting down of trees proper for the royal navy"; and to repeat the applications heretofore made in vain for the building of a fort at or near Pemaquid. Nov. 7.

The Court disposed of the first matter by resolving on a further issue of paper money, to twice the amount of the first. The form of the measure had been to the effect of lending fifty thousand pounds in bills for five years, at an interest of five per cent, with an engagement for a repayment annually of twenty per cent of the principal. One hundred thousand pounds more were now issued, to be repaid in ten years. On the other points proposed, the Representatives were more sensitive than the governor had probably been prepared to find them. After awaiting their action for what he thought a sufficient time, he sent a message

to inquire "whether the governor might
Dec. 4. expect a further answer to his speech." They replied the same day that "they had already answered all that was proper or necessary." He sent again to ask "whether the House had *done* all that was proper or necessary in answer to his speech." They replied that they had, "having passed an Act to prevent cutting and carrying off timber." Not being inclined at present to pursue the discussion, he contented himself with proroguing the Court. Such a beginning did not promise mutual confidence or harmony for the future.

It may be guessed that Shute was no master of the science of finance. But the emotion with which he speaks of the depreciation of the province's hundred and fifty thousand pounds of irredeemable paper money indicates that it
1717. occasioned him both surprise and dismay.
April 10. When he next met the General Court, it was to implore them to make some provision against the "intolerable discount" upon their bills, as well as to renew the requests for a fort at Pemaquid, for an establishment of stated salaries, and the security of the Queen's rights in timber proper for her navy.

This last had become a conspicuous matter of
1666. attention. As long ago as fifty years before this time, Massachusetts had brought the wealth of her woods to the notice of England by a present to King Charles of ship-timber,

which was thought to have contributed not a little to the success of his operations against France; and about the same time the colony recognized the importance of this interest to herself by a law which "reserved for the public all pine-trees fit for masts which are twenty-four inches diameter and upwards within three foot of the ground, that grow above three miles from the meeting-house." The capacity of producing other naval stores was not overlooked. The General Court granted "a privilege to Mr. Richard Wharton, etc., to make pitch, rosin, turpentine, etc." In the free times after the charter of Massachusetts was vacated, Randolph obtained a "commission to be surveyor of all the woods and timber growing within ten or twelve miles of any navigable river, creek, or harbor within the province of Maine." When Allen solicited the government of New Hampshire, he informed the Privy Council that he had "contracted with the Navy Board to supply their Majesties' navy with masts, yards, bowsprits, and other timber, during the term of seven years."

1668. May 27.

1671. May 31.

1685. October.

1691. March 30.

The ship-builder, Sir William Phipps, well understood the value of ship-timber, and, in the provincial charter which he helped to negotiate, the last article, appended in the last stage of the transaction, reserved for the King's use trees which measured two feet in diameter at the height of a foot above the ground. The

1692.

1695. June 25. General Court of Massachusetts reported to the Privy Council that their province could furnish for the royal navy an annual supply of a hundred and fifty tons of rosin, a hundred and fifty tons of pitch and tar, two thousand tons of timber, and a hundred thousand feet of oak planks. On a recommendation from the Admiralty the Privy Council commissioned Benjamin Furzer and John Bridger to go to New England, "to inspect and survey and give advice of the naval productions those places did produce, and what improvements might be there made for the future." In no less than three points of view the object contemplated by the English Ministry was important. They looked to this country for abundant and secure supplies, not only of timber, but of naval stores, pitch, tar, and turpentine for their military and commercial marine. They desired to encourage the industry of New England in this department, to the end that its profits might support large demands for English manufactured goods. And they wished, by confining the attention of the people to these pursuits, to keep them from creating a supply of woollen fabrics for themselves. "I am glad," wrote Dudley to the Board of Trade, "to be advised your Lordships have been pleased to encourage the trade of tar, rosin, and other naval stores and commodities of this province, without which it is impossible to prevent this province to run into the woollen manufacture to

1696. Sept. 3.

1704. Oct 10.

that degree that in a few years they will demand very little supply of that sort from the kingdom of England, which if I should not inform of and labor to prevent, I should be wanting in my duty. The inhabitants of this province are proud enough to wear the best cloth of England; but, without they be employed upon tar, hemp, iron, spars, masts, and building of ships, they have no returns to make, and of those things there might be enough if proper methods were settled and taken, and persons sent to take care and encourage so to do."

The war of Sweden against the other Baltic powers, and especially the signs which the erratic King of Sweden had given of an inclination to befriend the Pretender, at once increased the importance to England of an ample supply of naval stores, and the uncertainty of obtaining it from the hitherto customary sources. Furzer, the surveyor, having died on his way to America, the omnivorous Randolph aspired to be his successor, but was defeated by the opposition of Ashurst. Bridger arrived at his destination, with Lord Bellomont. He easily embroiled himself with the inhabitants of the forest tracts, and his conflicts with the rough people whose interests he had to invade took for years a considerable place in the public action of the time. New Hampshire, especially, without contesting the sovereign's right, showed no zeal in protecting it against the trespassers to whom 1700.

the plunder of timber on the banks of distant and solitary navigable waters was at once so safe and so lucrative. Lord Bellomont in-
April 23. formed the Lords of Trade that there had been "a prodigious havoc of the woods in New Hampshire within four years," so that he feared that "in two or three years all trees that are near water carriage will be cut up." He complained of the "trade of sending ship-timber to Portugal, still carried on," and desired "an
April 9. Act of Parliament to hinder transporting of ship-timber." Bridger wrote to him that he had been "for two years preparing trees in the woods near Piscataway to the number of several thousands, for the making of tar for his Majesty's service, but found them in May last nearly all burnt, to the loss of nearly a thousand barrels of tar."

Bridger had been but a short time in New
Nov. 14. England, when the Lords of Admiralty advised his recall on account of the expensiveness of his service. But either he or his business had steady and powerful friends, and early in Dudley's administration he was ap-
1705. pointed "to be Surveyor-General of woods
Dec. 15. in New England, and to instruct the inhabitants in making tar, curing hemp, etc." He
1706. wrote to Secretary Godolphin that he
Oct. 18. would "engage in two years' time the stores that is raised here . . . . . shall be equally as good as any imported into England. I

hope," he said, "to divert and turn their thoughts from working up their own wool, which they have made a very great progress in, to the raising of naval stores." If this hope should fail, "the effect would be the loss of the exportation of a hundred and fifty thousand pounds per annum of the manufactures of England to this place only, — I mean Boston." The prospect was, however, uncertain; for soon he had to report a large decrease in the exportation of naval stores, of which, he said, one reason was that "the country people and planters had entered so far into making their own woollens, that not one in forty but wears his own carding, spinning, etc." When he appealed to the courts, he "could not get a judgment against the people for cutting trees." An Act of Parliament was passed "for preserving white-pine trees," which punished all persons who should destroy them, except the owner, with a fine of a hundred pounds. Bridger wrote that prosecutions under it were useless, and that "her Majesty could never hope of any justice here, where judge and juries are offenders, for they plead their charter. . . . . They adore it, equal, if not preferable, to their schismatical doctrine." And his inference was: "Were this charter gone, her Majesty's prerogative would shine bright and influence the whole, so that they would be more obedient to her Majesty's commands, and civil to her interest and

1708. March 13.

1709. July.

1710.

1711. May 21.

officers; and, were they more dependent, they would be much more serviceable."

In the last year of Dudley's administration Bridger went to England, having appointed deputies to supply his place during his absence. He had probably learned that his presence there was necessary to counteract a movement which was on foot for his removal. Dudley wrote home in his favor; but Colonel Burgess, while expecting to go out as Dudley's successor, had objected to Bridger's continuance in office, having been convinced, on the evidence of Vaughan and others of New Hampshire, that he had been guilty of official corruption. Bridger succeeded in clearing himself to the satisfaction of General Stanhope, and came back with a new commission. He was to meet with more powerful opposition than ever. Elisha Cooke, son of the lately deceased counsellor, and his successor in the popular regard, charged Bridger with exceeding his authority in forbidding proprietors to cut timber on their own land, and with receiving bribes for permitting the spoliation of timber on the public domain. Bridger justified himself, and the governor took his part, showing his displeasure against Cooke by excluding him from this time from the Council, of which he had for years been a member, and to which he continued to be elected by the Court from year to year, while he found a better sphere for agitating, in his place in

1714. December.

1715. Jan. 12.

Jan. 15.

Aug. 11.

the House of Representatives, of which he was a member for Boston. In the ardor of his antagonism Cooke went so far as to urge that Maine having been granted by the crown to Gorges, and by his heirs sold to Massachusetts, "no reserve was to be made of any woods or trees thereon to the use of the crown." It does not appear that that view had any other open defenders, though it is very likely to have prevailed so far as to prevent vigorous legislation for the security of the royal rights.

Bridger wrote to the Secretary of State, that, at Exeter, of seventy trees which had been marked with the Queen's broad arrow, 1717. only one remained standing. The out- Dec. 30. rage was committed, he says, while Vaughan was lieutenant-governor, "who put out those persons I had deputed for deputies, and put in creatures of his own, which suffered anything to be done as would please the people; for as long as there are New England persons governors [here was a kick at the dead lion, Dudley], the King must not expect any justice as to the woods; for all the people on the frontiers depend on the woods for their livelihood, and say the King has no woods here, and they will cut what and where they please, as long as the charter's good." Dummer, agent for Massa- 1716. chusetts in England, interested himself Nov. 30. successfully against the forester. "I have 1718. read," wrote Bridger to the Lords of Trade, Oct. 24.

"the surprising and unwelcome news that I am superseded. . . . . My letters informs me that I was removed by the insinuations and malicious contrivances of Mr. Dummer, ... whom I know to be a false and cunning person. . . . . I have been here but one year and a month since I renewed my commission. . . . . After twenty-two years' faithful service to this country, I am turned out and obliged to beg my bread."

The General Court which Shute found in office, now drawing near to the term of its legal existence, may have thought proper to adopt a course of action to be a precedent for its successors. The Representatives, with unmistakable distinctness, informed the governor that they declined to restore the fort at Pemaquid, to establish salaries for the King's officers, and to do anything further about the ship-timber. "In consideration of his assurances of friendly behavior," they made him a grant of three hundred pounds, and he dismissed them to their spring husbandry, after thanking them for their present, which, he said, "will help the defraying the charge of my transportation." Their six months' acquaintance had not tended to ripen into friendship.

Alluding to the defeat of the Pretender's enter-
1717. prise, the governor told the next General
May 30. Court, that their meeting must be "so much the pleasanter by the removal of some fears they had lately had of being deprived of so valuable a privilege. God Almighty long con-

tinue," he said, "your religious and civil rights and liberties, with wisdom so to improve them that they may never be forfeited"! And instead of provoking for the present a renewal of the dispute respecting naval supplies, he informed the Court that Parliament was "deliberating on measures for the encouragement of the trade" in those commodities, and "the rather, at this present juncture, by reason of the unjust and surprising intended invasion from Sweden." He forgot his dignity so far as to volunteer to the General Court a denial of having sold offices, a misconduct with which it seems common rumor had charged him. The Court made him a grant of five hundred pounds for his services in the first half of the civil year. In acknowledging it he desired "to be told if he had not rendered faithful service." The sum given, he says, referring to the state of the currency, "is in reality but two hundred and fifty pounds." He wished but to be supported with dignity. "I think I may say, without much vanity, I have deserved it." At the next session he received the nominal sum of six hundred pounds. But the depreciation of the notes in which payments were made was an oppressive and a continually growing evil.

Nov. 22.

1718. Dec. 4.

The governor had lately called attention to it again, but all in vain. The subject had become one of mutual irritation between him and the Representatives. That body, as one of its financial expedients, imposed a duty of one

May 29.

per cent on the value of goods imported from England. The governor, appealing to his instructions, refused his consent to the bill, on the ground of its being in violation of the charter provision, which forbade the Court to make laws contrary to the laws of England. In a vote which followed, the House was so bold as to express a doubt whether "his Majesty's instruction to his Excellency the governor was entirely agreeable to the liberties and privileges granted in the royal charter." This alarmed the Council, who requested that the clause might be stricken out. The Representatives refused, and presently after expressed their indignation by a vote in which they called the Council "the Upper House," — a name which did not belong to it, and against the use of which the Council protested.

1719. June 19.

At a special meeting of the Court the governor communicated to them an extract from a letter of the Lords Justices of England, — the King being now upon the Continent, — threatening them with the loss of their charter for presuming to lay a tax on English goods and merchandise. And he told them that the Board of Trade desired them to take measures for a strict inspection of pitch and tar, for the protection of the King's masts, for respectful treatment of the surveyor-general of the woods, and for preventing the unlawful exportation of ship-timber to Spain, with which country England was now at war. The House refused to strike

November.

out the provision for a duty on English merchandise from their bill "for making and emitting one hundred thousand pounds in bills of credit on the province," and so prevented that assent of the governor which was necessary to its becoming a law. The governor repeatedly requested, and the House repeatedly refused, the withholding from the press of an "additional answer to his speech," relating to a charge made against the provincial government by the Lords Commissioners of having "hindered the surveyor-general of the lands in the execution of his office." He declared that, having "the power of the press," he would prevent the publication which they designed. But the attorney-general advised him that there was no law investing him with that authority. He could not maintain the pretension; and the liberty of printing was thenceforward established in Massachusetts.

CHAPTER II.

ADMINISTRATION OF SHUTE, CONTINUED.

Three years of more and more angry fencing had brought the governor and the people of Massachusetts into an attitude of obstinate antagonism to one another; and whether or not it should prove that a permanent system had been marked out for opposition between the colony and the crown, at all events it seemed probable that between the colony and the present governor there could no more be genuine good-will. The Ministry had now no important special object in view; but they wanted to exercise and extend their power. The people had no important special object in view; but they wanted to obstruct and defeat the governor and his masters, and to keep and accumulate as much power as possible in their own hands. Since self-government, as it had been enjoyed under the covenants of the old charter, was no longer to be had, it was now their aim to secure as much self-government as could any way be asserted under the provisions of the new charter, without encountering the risk of its being annulled, as the old had been, on the charge of a usurpation of powers not

granted by it. Whether a power obtained would be for the present beneficial or fruitless was not, practically, a final question. If not effective at present, occasion might come for it to be reduced to some useful application. And a corresponding apprehension was as naturally entertained on the other side. Nothing immediately depended on the question whether the Houses of Legislature or the governor should appoint a Fast, or on the higher sounding question whether the Representatives' choice of their Speaker should be subject to the governor's approval. But such pretensions on the part of the Representatives were regarded by the governor as "continual encroachments on the few prerogatives left to the crown." And the Board of Trade, to whom he told his story, thought "it was apparent from recent transactions, that the inhabitants were endeavoring to wrest the small remains of power out of the hands of the crown, and to become independent of the mother-country."

After the death of Elisha Cooke, the antagonist of Mather and of Dudley, his policy was prosecuted by his son, who succeeded to his great popularity. The gentleman who had been Speaker of the House in the last years, John Burrill of Lynn, had been much esteemed in that capacity. But, as the temper in which the Representatives now were required a bolder leadership, he was promoted to the Council, and Cooke was elected to fill his place.

1715.

1720. May.

The transactions which followed illustrate the unfriendly relation between the parties.

A committee of the Representatives went to the governor's house and informed him of their choice. According to their report, he said, "Very well," and they took their leave. The same afternoon he came to the Council Chamber, and informed the Representatives by a message that he was now ready to hear from them respecting the choice of a Speaker. They replied that he had already been acquainted with it, and that his answer had been recorded in their journal; and they proceeded to desire the Council, as usual, to go into convention with them for the choice of counsellors for the coming year. The governor said that no such convention could be held before he was informed how the House was organized. The Representatives sent up a committee to communicate that information anew. The governor refused to approve Mr. Cooke, and desired them to proceed to another choice. This they declined to do, and renewed the proposal to the Council to go into an election of counsellors. A doubt whether, by the charter provision, this election could be legally made on any subsequent day, induced the governor to desist from opposition to the choice of a Speaker, after acquainting the House by a message that the power he claimed was conferred by the English Constitution and by the charter, and, as he was told, had been exercised by Governor Dudley. An elec-

tion was accordingly made of counsellors, of whom he rejected two. This done, he sent a message to the House, urging his competency to prevent the elevation of Cooke, who had invaded the royal rights in the woods of Maine, and from whom, personally, he had received ill treatment. He advised them to choose another Speaker, with a reservation of their asserted right till the authorities in England should be consulted. Without a dissenting voice they refused to do so, and he immediately dissolved the Court, and issued writs for another to meet in six weeks. It was composed of nearly the same members as the last. But, as another dissolution would have much embarrassed the public business, the House did not persist in a re-election of Cooke, July 13. but contented itself for the present with remonstrance and protest as having acted under duress.

Their surly session lasted only ten days. They denied the governor's request for a small sum of money to gratify the Penobscot Indians. They set up a new claim to choose notaries-public, without the concurrence of the Council. They refused the money to pay for the customary celebration of public holidays, such as the anniversary of the King's birthday. After an unusual delay, they made a grant to the governor of five hundred pounds, in the depreciated currency, for a half-year's compensation, instead of the six hundred pounds which had been their usual allowance. To the lieutenant-governor, instead of the

accustomed fifty pounds or more, they voted thirty-five pounds, which he refused to receive, at the same time informing them that his office had cost him more than fifty pounds a year. Their whole legislation seemed but an expression of their dissatisfaction and ill-will. The most favorable interpretation to be put on it is, that they designed to show that they had power to make terms for themselves by obstructing and retaliating.

The matter of the reservation of pine-trees for masts and spars for the royal navy was a standing subject of contention. The House maintained that, though, by the charter, trees fit for this use, while standing upon land which had not become private property at the date of that instrument, belonged to the King, yet, after they had been felled, the property in the timber reverted to the occupant of the land. And Cooke persisted in his argument that the whole claim was wrongful, Massachusetts having bought Maine of Gorges, free from any such encumbrance. The House raised a committee to seize for the use of the province such timber as had been cut under the commissioner's license, alleging that it had not been devoted to the King's use, but had been converted by that officer to his own profit. Bridger had at the same time lost the confidence of his English masters. One Burniston, appointed to succeed him, sent John Armstrong to New England as his deputy; a

man, writes the angry ex-official, who was "bred a kind of clerk to a country attorney in Cumberland, or that way. He knows not an oak from a pine, nor one pine from another." Bridger thought it hard treatment to be displaced, when, as he wrote to the Lords of Trade, he had been nearly twenty-five years in office, and when he had "made the first tar, and sowed and cured the first hemp, that ever was made or raised in New England fit for the service of the navy." 1719. June 13. 1721. March 10.

At this time Nova Scotia received a permanent organization as a British province. It had been ceded to France by the Treaty of Breda, and subsequently was occupied to some extent by a French population. Having, a year after the Revolution, been successfully invaded by a Massachusetts force under Sir William Phipps, it was presently included in that province by the charter of William and Mary. The petition of Massachusetts to the crown, praying it to garrison Port Royal, must be interpreted as expressive of a desire to be rid of a possession which was merely a burden and a charge. In the same year, by the Treaty of Ryswick, Nova Scotia was again handed back to France. The surrender to Governor Nicholson gave it once more to Great Britain, of which it has since remained a permanent possession, being confirmed as such by an article of the Treaty of Utrecht. 1667. 1690. May 20. 1692. 1696. 1710. 1713. April 11.

1714. Nicholson, placed in the charge of it after Vetch, administered it as simply a military government. Colonel Phillips, who succeeded
1719. him at the end of five years, was instructed to surround himself with a Council, to be selected from among the principal English inhabitants.

1718. An officer, sent by Governor Shute to
November. warn the French from fishing in the Nova Scotia waters, captured two French vessels, "took what fish he found on shore, and pulled down their huts." The Board of Trade reported to King George the First: "Although
1721. Nova Scotia is expressly included in this charter [the provincial charter of Massachusetts], yet the same being, at the time the charter was granted, in possession of the French by virtue of the Treaty of Breda, this part of the grant has always been esteemed of no effect, and the people of New England do not pretend any right thereunto."

The charter of Massachusetts vested in the governor the power of adjourning, as well as of summoning and dissolving, the General Court. The Representatives, wishing to be at their homes to keep a Fast day, desired the governor to adjourn them for that purpose. He refused, important business being under consideration; and they adjourned themselves for six days. When they came back, he insisted upon an
July 12. avowal of their fault before they should resume the session, which they accordingly made,

so far as to allow that they should have informed him of their intention; but at the same time they attempted a distinction between his power by the charter to adjourn the General Court and their assumed right to adjourn their own House. This did not satisfy the governor, as indeed there was no reason why it should, and after rebuking them he dissolved the Court. Aug. 23. When it met again, the small-pox was raging in Boston. The House voted to transfer the session to Cambridge. The governor replied, that, while he had no objection to that arrangement, it was within his official discretion, and to request him to make it was the proper method of proceeding. The House rejoined, that by law Boston was the place for meetings of the General Court, and that the law could be suspended only by a joint act of governor, Council, and Representatives. Both parties persisted. Notwithstanding the danger in Boston, the House refused to ask the governor's permission to go to Cambridge. They again expressed their resentment by voting him for half a year's service the sum of five hundred pounds in paper, which was now worth little more than one half of the nominal sum.

The House imagined that frauds had been practised in the muster-rolls which were presented when the pay of soldiers was to be voted; and they proposed to inspect the garrisons by a committee of their own, before whom the commanders should be obliged to parade their men. The

governor refused to consent to this interference with his military authority. In reply to a renewal of his application for a fixed salary, the House said that "they humbly conceived what was granted him was an honorable allowance, and the affair of settling salaries being a matter of great weight and wholly new to the House, and many of the members absent, they did not think it proper to enter into the consideration of it, but desired the Court might rise." To another of his recommendations, that they should adopt some expedient to keep up the credit of their bills, they replied that "they had passed a bill for issuing one hundred thousand pounds more in bills of credit"; the surest way possible to increase the depreciation which he lamented, notwithstanding the always illusory measure, which at the same time they had taken, of prohibiting "the buying, selling, and bartering silver at any higher rates than set by Act of Parliament."

March.

Shute wrote home that the Assembly went so far as to disavow all responsibility to the Board of Trade.

July 19.

The innocent College shared in the trouble resulting from this long series of altercations. The stricter Calvinists of the period, countenanced by the aged ex-President Mather, and stimulated by his disappointed and angry son, had all along viewed with displeasure the administration of the College by President Leverett. The struggle as to which influence should prevail

had for the present been determined, about the time of Shute's arrival, by the election 1717. into the College Corporation of Benjamin Colman, minister of the church in Brattle Square, Boston, and his friend Nathaniel Appleton, minister of Cambridge, both of whom sympathized with President Leverett, and with the less rigorous sectarian methods of the time, while the prevailing sentiment in the House of Representatives was very decidedly the other way. The better qualities of Shute's character led him to take a friendly interest in the College; and to Colman, who, after the President, was the leading spirit of its government, he was naturally attracted by the excellent qualities of that distinguished divine, whom, in cultivation and manners, he found to be a fair representative of the class of dissenters to whose society he had been used in England, and of some of whom Colman was a personal friend and correspondent.

Two tutors of the College had set up a claim to be members of the Corporation, on the ground that it was the sense and intention of the charter that resident instructors, being not more than five in number, should be members of that body. The House of Representatives passed a vote sustaining this construction. The Council 1722. June. concurred in the vote, but the governor would give only a conditional approval. "I consent," he said, "provided the Reverend Mr. Benjamin Wadsworth and the Reverend Mr. Benjamin

Colman and the Reverend Mr. Appleton are not removed by said orders, but still remain Fellows of the Corporation." The House sent up their vote again, with a message "to desire his Excellency to pass absolutely thereupon, according to the constant usage and practice ever since the present happy constitution." The governor said that his decision was not to be changed; and another appeal from the House failed to move him. It was happy for the College that, before the hottest of the dispute between him and the Representatives began, he had obtained from them the money to erect at Cambridge an expensive building, which, under the name of Massachusetts Hall, commemorates their liberality to this day.

1719.

Shute's reputation for military spirit and experience constituted his best means of influence with the people of his government. The conflict with the Indians of Maine, which had had few intermissions since the time of Philip's War, had been no more than suspended by the pacification at Utrecht. The French of Canada could no longer openly counsel or assist the barbarities of their Indian friends, but in secret they were scarcely less busy than before.

On a bend of the river Kennebec, a few miles above the present town of Augusta, the Jesuit priest, Sebastian Rasle, had collected a company of Indian converts, and erected a chapel and some cabins. The place still bears its ancient

name of Norridgewock. Rasle was a capable and accomplished man, and resolute and self-sacrificing in his bigotry. At the age of thirty-two he had established a mission for 1689. the Abenaquis in the neighborhood of Quebec. Thence, after two or three years, he followed the steps of Marquette and other explorers to the upper lakes and the river Illinois. From this experience, which lasted about as much longer, he was recalled by his superiors to 1693. be stationed at Norridgewock, on the extreme western border of the country claimed by the French under their interpretation of the name *Acadie*. There, before and during the war in Queen Anne's reign, he confirmed and extended his authority over the Indians, under instructions from the governors and ecclesiastics at Quebec. The nature of his labors was not misunderstood in Boston; and, in his absence, Colonel Hilton, sent by Dudley on a winter's expedition against the hostile tribes, burned his chapel 1705. and other buildings to the ground. In no wise discouraged, he hastened, after the Treaty of Utrecht, to restore the chapel, and returned with new vigor to his troublesome operations.

Shute, in the next summer after his arrival at Boston, invited the eastern tribes to a conference at Arrowsick Island in the Kennebec. Rasle was understood to have accompanied the chiefs, but he kept himself out of sight. Shute, 1717. giving the sachems an English flag, and a Aug. 9.

Bible in the English with another in the native language, reminded them that they were subjects of the King of England, and offered them the services of one of his companions, the Reverend Mr. Baxter, to teach them the English religion, and the services of a schoolmaster to instruct their children. He assured them of just treatment from the English, and of favorable attention to any complaints they might from time to time have to make. They desired to defer their answer to the next day, and then replied, that they had no objection to being King George's subjects if they were not molested in the occupation of their lands, but that they were "not capable to make any judgment about religion," and were attached to their present teachers. As to their lands, they said that they claimed none on the west side of the Kennebec, but "were sure they had sold none on the east side"; and they produced a letter from Rasle, in which he affirmed that he had it from Vaudreuil that the King of France had assured him that he had not ceded any country east of the Kennebec to the English,

Aug. 11. but, on the contrary, would maintain the Indian right to it. At this Governor Shute took offence, and was about to break up the conference, when the Indians, alarmed, begged for another interview. The result was that the

1713. July. treaty made four years before with Dudley at Portsmouth was renewed, with its stipulations that the natives should demean themselves

as faithful subjects of the crown of Great Britain, and that the English might without molestation reoccupy their former settlements.

A year and a half had passed, when some threatening demonstrations on the part of the eastern savages caused the governor to convene the General Court. The Court immediately ordered the raising of a company for service against the tribes, and the governor was able to report that the movement was quelled without bloodshed. The next year there was another alarm. The Indians surprised some English at Canseau, in Nova Scotia, killing three or four and robbing the rest. Further disorders followed in the same quarter, occasioning a destruction of property to the amount, as was said, of not less than twenty thousand pounds; and the French governor at Louisburg, to whom application was made, declined to interfere. Shute, hoping that a general war might be avoided, instructed the commander of the troops in Maine to propose a conference. The Indians agreed. But the Representatives in the General Court preferred a different way of proceeding. They passed a resolve for sending a force of a hundred and fifty men to Norridgewock, to demand of the Indians there and thereabouts "full satisfaction for the damage they had done the English," and if they should refuse to give up Father Rasle to be brought to Boston, then to bring thither a sufficient number

1719. March 11.

March 12.

May 28.

1720. Aug. 7.

Nov. 2.

of them to be pledges for his surrender. The governor disapproved this measure, both because he was averse to a new war, especially in the existing state of the finances, and because he considered the military administration as belonging to his own prerogative. The dissension thus originated between him and the Representatives proved to be the most irreconcilable of all.

The old chief of the Norridgewock Indians died, and a person less unfriendly to the English became his successor. Under his auspices, hostages for the quiet behavior of the tribe were sent to Boston. Rasle, and his friends at Quebec, were disturbed and displeased at this proceeding.

1721. June 15. The governor, Vaudreuil, wrote to Rasle in terms of extreme dissatisfaction. He said that he had prevailed upon the natives in the vicinity of Quebec to send messengers to inform the English that if they continued their encroachments they would not have to deal with the Norridgewocks alone, and that another Jesuit father was despatched to encourage that tribe to behave with firmness, and to engage the Penobscot Indians in an alliance with them. And

June 14. the Intendant-General of Canada (Bygon) wrote that the authorities there were waiting orders from the King as to whether they should give open assistance to the savages, or only continue to supply them with ammunition, as already they were freely doing. Your Indians,

Sept. 25. wrote Vaudreuil to Rasle, "if they have

taken a sincere resolution not to suffer the English on their land, ought not to defer chasing them out as soon as possible. Your people ought not to fear the want of ammunition, since I send them a sufficiency."

But the English had not the information contained in these letters, which fell into their hands at a later time. Whether other trustworthy intelligence came to Massachusetts of the French intrigues and the Indian ill-temper, or whether only an indefinite suspicion was entertained, the General Court considered energetic measures to be necessary. They renewed a August. vote that a force, now to consist of "three hundred men, should be sent to the head-quarters of the Indians," to require the surrender of "the Jesuits and the other heads and promoters of their rebellion," and "satisfaction for the damage they had done"; in default of which some of their principal men, "together with Rasle or any other Jesuit," were to be seized and sent to Boston. The governor, though he gave his consent to this measure, which was taken just before the Court adjourned, delayed to carry it into effect. This was new cause of offence. At the next session the House again pressed the sub- Nov. 3. ject, and the governor despatched a party to Norridgewock under the command of Colonel Westbrooke. The advance of these troops was watched by two of Rasle's Indians, who gave notice in season for him to escape. Among his

papers, of which the English possessed themselves, were the letters which have just been quoted.

Another person, of consequence in these hostilities, fell into the hands of the English. The young Baron de St. Castine was on the Kennebec when they came thither, — it was naturally supposed for no good purpose. He was brought to Boston, where he was examined by a committee of the Court. Whether he was honest, or they were credulous, or distrustful of the good judgment of pushing matters to extremity, he succeeded in satisfying them that his design in coming among the Kennebec Indians was to persuade them to peace, and he was accordingly discharged. Shute wrote to Vaudreuil: "I suppose Mr. Rasle, who
March 14. has been the great incendiary in all this affair, has acquainted you with his narrow escape. He will do well to take warning by it, and return to his own country." And again: "Nor-
April 23. ridgewock is within the territory of his Majesty King George, and it is contrary to an Act of Parliament of Great Britain, and a law of this province, for a Jesuit or Romish priest to preach or even reside in any part of the British dominions."

There was to be further proof of the necessity of vigorous measures of protection against these
1722. unreasoning and inconstant savages and
June. their crafty and indefatigable prompters. Sixty warriors came into Merrimeeting Bay on the Kennebec, and carried away prisoners to be

security for their own hostages still detained at Boston. Three fishing-sloops were attacked in as many eastern harbors, several prisoners were carried off, and one vessel was burned. Next came intelligence of the burning of the town of Brunswick by the savages, and a letter was received from the governor of New France, July 25. in which, as Shute informed the Lords of Trade, "he openly declared that he had and would assist the Indians, and that he had orders from the court of France so to do." There was no possibility of further forbearance. War was proclaimed, at a juncture most unfortunate by reason of the mutual jealousies between the governor and the House. The governor, when he convoked the Court to make the necessary Aug. 8. preparations, said: "One thing I would particularly remark to you, which is, that if my hands and the Council's be not left at a much greater liberty than of late they have been, I fear our affairs will be carried on with little or no spirit."

A committee of the Court reported a liberal plan for enlistments, pay, and supplies, but they proceeded to lay out a detailed project for the disposition of the troops and the conduct of the campaign. The governor replied, to the effect that he, by the charter and the King's commission, was commander-in-chief, and that he was bound to be governed by his own judgment as to military movements. The House passed a vote requesting him to discharge Major Moody, who was in

command on the eastern frontier. The governor replied that an officer was not to be displaced without reason shown. He asked for the enactment of a law to punish mutiny and desertion. The House proposed first to inquire whether the frequency of these offences was not occasioned by reasonable dissatisfaction with the commanding officers; and it raised committees to visit the forces, and make investigation on the spot. When some delegates from the Iroquois, whose good offices it was hoped to engage against the eastern Indians, came to Boston by invitation, the House voted to have the governor's speech to them prepared by a committee of the Court; and he finally yielded to their demand that he should adopt the novel method of addressing the Indians in the name of the Court, and not in his own, as official head of the province. These are but specimens of the perpetual jarring at this time between the executive and legislative powers.

Consenting to the wishes of the House, the governor had directed an advance of troops towards the Penobscot, and they were already on their march when an alarm on the Kennebec caused them to be recalled by the officer who commanded in that quarter. The occasion justified that measure. Four or five hundred savages attacked Arrowsick Island, near the mouth of the Kennebec, in what is now Georgetown, where was a fort. The assault was unsuccessful, and, after slaughtering the cattle without the fort, and

sacking and burning twenty-six houses, they withdrew to refresh themselves at Norridgewock. The House judged that a disingenuous use had been made of the alarm thus occasioned, and that the alleged necessity for countermanding the eastward movement of the troops was a subterfuge to evade the execution of their wishes; and they desired the governor to send an express messenger to the commander, Colonel Walton, with orders to him "to appear forthwith before the House to render his reasons why the orders relating to the expedition had not been executed." The governor said to the committee who brought him this vote, that it was expressed in such terms as forbade him to take notice of it. Nov. 19. The House replied by another message, Nov. 20. inquiring whether he intended to send for Walton, as they had desired. He told the House's committee that he should take his own time to answer this question. The House came to a vote, that this conduct of his "extremely discouraged them in projecting any further schemes for carrying on the war"; and, "with the greatest sincerity and concern for their country's good," they repeated their request for the recall of Colonel Walton. When a copy of this vote was offered to the governor, he refused to receive it, and, as the Journal of the House records, "went his way"; and when another committee, consisting of the Speaker and some other dignified persons, was sent to him, he refused to admit them to his presence.

The House, as intent as ever on their main purpose, but finding that they were not prospering in this peremptory invasion of the governor's military prerogative, approached him next with a vote "that his Excellency the governor be desired to express Colonel Walton that he forthwith repair to Boston, and when he hath attended upon his Excellency that he would please to direct him to wait on this House, that they may examine him concerning his late conduct in prosecuting the war." The governor, who was willing to be conciliated, the rather as he might suspect himself of some appearance of passion in the last transactions, sent for Walton, and informed the House that he had done so. They followed up their advantage by a vote to raise a committee, to consist of four counsellors and seven representatives, to have, in effect, the management of the war during the recess of the Court. This proposal was so extravagant, that it was rejected by a unanimous vote of the Council.

Dec. 4.

Dec. 5.

The committee which the House had sent to the eastern camp returned. Agreeably to the request of the House, the governor had sent to the commander an order for their respectful reception; but, in his recognition of their mission, he expressed his expectation "that they would lay first before him their report as Captain-General, and afterwards, upon the desire of the House of Representatives, it shall be laid before them." The committee, however, on their

Nov. 17.

return, reported directly to the House. Being informed of this, the governor sent to the House to ask for the original of his order, which was in the committee's hands. The House, disinclined to part with what might be used as evidence against themselves, would take no step to reclaim it. The governor then demanded it of the chairman of the committee; but the chairman said he was instructed by the House not to let it go out of his hands.

On Walton's arrival in Boston, the House desired the governor to order him to appear immediately before them. The governor Dec. 18. replied, that, if his subordinate was to undergo any legislative examination, it must be before the whole Court, and not before one branch of it. The House then sent its messenger to Walton, to command his presence. He came, accordingly, but declared that he had nothing to say without the governor's commands. The governor ordered him to present himself before the whole Court, and sent a message to the Representatives, that, on his appearance in that position, they should have opportunity to interrogate him. The next day he informed them by another message that Walton was then before the Council, with his journal, and subject to any examination which the House might wish to institute. But the Representatives declined the invitation, and insisted on their privilege of taking cognizance, in their sole capacity, of the conduct of all persons in the public service and pay.

The governor had, some time before, privately
1720. obtained permission to go to England, os-
July 4. tensibly "to settle some private affairs." By this time all hope of amicable relations between him and the local authorities seemed to be at an end, at least until the questions which had arisen between them should be settled by an authority superior to both; and nothing could be more disagreeable to a person of his disposition than the social relations into which circumstances
1722. had brought him. Unknown to any one,
Dec. 27. except two or three servants, he went on board of a man-of-war, which lay at Nantasket bound to the West Indies, intending to take another passage thence for England. But while he was detained a few days by bad weather, a
1723. merchant-vessel came down from the town,
Jan. 1. in which he sailed direct for London.

In the year before Shute's departure from his government, the Board of Trade made an elaborate report to the King, describing the condition of his several dependencies in America. As to the province of Massachusetts, they represented that it had a militia force consisting of sixteen thousand men; that within its limits were about twelve hundred converted Indians; that of "products proper for the consumption of Great Britain," it had "timber, turpentine, tar and pitch, masts, pipes, and hogshead staves, whale fins and oil, and some furs"; that it had a trade to "the foreign plantations in America, consisting chiefly in the

exportation of horses to Surinam and to Martinico and the other French islands," whence came in return sugar, molasses, and rum, which was "a very great discouragement to the sugar-planters in the British islands"; that the people had "all sorts of common manufactures," spinning and weaving "their own wool into coarse cloths, druggets and serges," besides making "homespun linen, which was generally half cotton"; but that "the branch of trade which was of the greatest importance to them, and which they were best enabled to carry on, was the building of ships, sloops, etc."; that about a hundred and fifty vessels were built in a year, measuring six thousand tons; that most of these were built for sale abroad, but that there belonged to the province "about a hundred and ninety sail, which might contain six thousand tons, and were navigated with about eleven hundred men, besides a hundred and fifty boats, with six hundred men, employed in the fisheries on their own coast." "The certain annual charge of the government was about eleven thousand pounds" over and above "what was applied for discharging their former debts."

The Board of Trade found that the province "on all occasions affected too great an independence on the mother kingdom." They represented that "the charter governments would be more effectively restrained if they were all of them under his Majesty's immediate government, and were

by proper laws compelled to follow the commands sent them by his Majesty"; and they recommended proceedings "to put the whole under the government of one Lord-Lieutenant, or Captain-General, from whom other governors of particular provinces should receive their orders in all cases for the King's service. By this means," they added, "a general contribution of men or money may be raised upon the several colonies in proportion to their respective abilities." To projectors capable of conceiving such a scheme the counsellors of King George were disinclined to commit the administration of the colonies of England; and the historian Chalmers thought them blameworthy for this want of confidence.

CHAPTER III.

ADMINISTRATION OF LIEUTENANT-GOVERNOR DUMMER.

The lieutenant-governor, William Dummer, was a man of integrity, moderation, and good sense. In an unimpassioned way he had generally given his support to the governor; and, when the House on that account forbore for two or three years to make him the allowance heretofore never withheld from the person holding his position, he had not betrayed any impatient displeasure, though on one occasion he declined a grant of theirs which was so small that it might seem intended for an affront.

In their long strife with the governor, the House had taken grounds which consistency obliged them to maintain, and their position of antagonism to the chief magistrate was not relinquished at Shute's departure. They appointed a committee, to be joined by a committee of the Council, to concert measures for the conduct of the war. The Council refused to concur in the measure, continuing to regard it as an encroachment on the authority of the commander-in-chief. The House resolved that the war ought not to be pro-

ceeded in, till Colonel Walton and Major Moody, the commanders, should be removed. Yielding to the storm, those officers proposed to the lieutenant-governor to resign, on receiving the arrears of their pay. The House was indisposed to grant them even this justice, and insisted on their unconditional dismission. The Council not acquiescing in so harsh a measure, the House came to a resolve, — of which they sent a copy, not to the lieutenant-governor, but to the Council, — that, unless they were gratified, they should have to withdraw part of the troops in the field. The lieutenant-governor sent them word that the disposal of the troops was a function of his office only, rebuking, at the same time, the disrespectful manner of their communication. Upon this they withdrew their resolve, but adhered to their purpose, not only of withholding the pay of the obnoxious officers, but of refusing to vote further supplies till they should be superseded. The lieutenant-governor submitted to the mortification, which seemed unavoidable unless he could take the responsibility of leaving the province undefended.

When he had appointed Thomas Westbrooke to be commander in Walton's place, the House proceeded with alacrity in making arrangements for the prosecution of the war. What had helped to disarm the governor was a practice which had grown up of making payments from the treasury on the authority of a vote of the House after

services had been performed, even if the services had been directed by a previous vote; whereas by the charter the warrant of the governor, drawn with the advice and consent of the Council, was a sufficient voucher to the treasurer. The practice which the House had succeeded in establishing afforded them the opportunity of passing judgment on the manner in which their directions had been executed; a judgment which was at the same time liable to be biassed by prejudice and passion, and to be expressed in offensive criticism of the conduct of the executive. Walton accordingly remained unpaid, because he had obeyed the governor's orders in disregard of those of the Representatives.

The next House did not communicate to the lieutenant-governor its choice of a Speaker. It claimed to be consulted respecting the management of the war and respecting any negotiation for peace. It proposed, but, as before, without gaining the assent of the Council, to raise a joint committee of war to act during the recess of the Court. The lieutenant-governor had hoped to engage the assistance of the Six Nations, the accession of the Tuscarora fugitives from Carolina having lately increased the confederated Iroquois nations to that number; and more than sixty representatives of those tribes came to Boston for a conference. But nothing could be obtained from them beyond a permission to such of their warriors as might so

1723. May.

Aug. 21.

incline to enter the English service. They said, truly enough, that the war in the eastern country was no affair of theirs. The occasion furnished the House with another topic of complaint. They found fault with the lieutenant-governor for affixing his private seal to a present made to the Indian delegation, and ordered that an impression of the province seal should be substituted for it; and, when desired by the Council to withdraw the offensive vote, they not only did not consent to do so, but went on to resolve that the lieutenant-governor's proceeding had been an affront to them, and that they expected to be informed who it was that had ventured to advise it. The lieutenant-governor contented himself with silence.

But the necessity of uniting all resources and energies for the common defence suspended domestic faction. It would be unprofitable to relate in detail the miseries which followed. Indian warfare was always the same. The long frontier could not fail to lie exposed to brutal savages, who issued from their woods at their own choice of season, weather, and hour, and with a good knowledge of the doomed English homes where they had received hospitality, and of the refuges to which they might make their cowardly retreat as soon as their work of butchery and ruin was done. There could be no quiet sleep in a border settlement, unless it was at the same time a garrison. The wretchedness of constant apprehension was universal, when no one could

guess better than another where the next sudden blow would be struck. And to whatsoever place the remorseless enemy did come in sufficient strength, that place was sure to be ravaged and burned, and its inhabitants to share among them the woes of captivity, widowhood, orphanage, and death in all its forms of agony. Father Rasle sat in his chapelry at Norridgewock, and, himself directed by his ecclesiastical and lay superiors at Quebec, kept the tribes in motion against the villages of Massachusetts.

The St. François Indians came down from the banks of the St. Lawrence. The Penobscot Indians moved westward towards the English settlements. The Indians farther east undertook to deal with the Massachusetts fishermen resorting to Nova Scotia. One of Dummer's first acts had been to despatch Westbrooke to the Penobscot with two hundred and thirty men. He went up the river to an Indian fort, believed to have been at what is now Old-town, above Bangor. Within the fort, which was now deserted, was a "chapel, in compass sixty feet by thirty, handsomely and well finished, both within and on the outside. A little further south was the dwelling-house of the priest, which was very commodious." The troops burned the buildings and withdrew. Another expedition, directed against Norridgewock, had less success. The winter had been warm, and copious rains had so saturated the land that the

February. March.

February.

march was difficult. There was an epidemic sickness in the camp; and under these discouragements the undertaking had to be abandoned.

With the advancing season, the war moved westward. Murders were perpetrated successively at Falmouth, Berwick, Wells, York, Scarborough, Saco, and Dover, and at the distant western village of Northfield, which in the summer and autumn was twice attacked, with a loss, however, in the two invasions, of only six or seven men. Sixty Indians made an unsuccessful attempt upon a little English fortification at Mascougas, on the St. George. Captain Moulton was sent in search of Rasle to Norridgewock. He reached the place, but found it deserted. He brought away some books and papers, but, willing perhaps at the unfavorable season to invite good treatment by showing it, he left the buildings unharmed.

April - August. Aug. 13. Oct. 11. Dec. 25.

In the early part of the following year there was little to diversify the familiar record of depredations on exposed outposts. In the settlements of Maine, during the spring, more than thirty persons were killed, badly wounded, or carried into captivity; and at this time, as well as during the following summer, some murders were committed at the settlements on the Merrimack and the Connecticut. Fort Dummer, in what is now Brattleborough, Vermont, was built this summer, at a point more northerly than had hitherto been occupied on Connecticut River.

1724.

Captain Josiah Winslow, a young man only three years out of college, grandson of Josiah, and great-grandson of Edward, governors of Plymouth, was in command of the fort on the St. George. He was attacked while outside of the walls with thirteen of his company, and every one of them was killed. The Indians seized and manned several fishing-vessels, with which they cruised with some success, killing, it is said, more than twenty men employed in the coasters, and making prisoners of a larger number. They committed depredations at Kingston and Chester. At Dover they killed the children of a Quaker family, and carried away the older persons, while the head of the household was attending a meeting for worship. At Oxford some of them attempted to enter a house where a woman was alone; but she was provided with two muskets and two pistols; she shot one of the assailants, and the rest hastily made off.

May 1. May 16. June 2. Aug. 26. Aug. 3.

The nuisance was intolerable. It had to be abated at its source. From Fort Richmond, on the lower waters of the Kennebec, two hundred men, under Captain Moulton and Captain Harman, were despatched to Norridgewock. Leaving their boats on the river, at the distance of one or two days' march below that place, they came near to it without being observed. As it was the middle of the day, and it was thought that some of the Indians might be in

Aug. 12.

their cornfields, the troops were distributed into two parties, one to proceed directly into the village, the other to intercept such as should attempt to return. Moulton, who led the former party, saw no one stirring as he entered the hamlet, at about three hours after noon. The men, who marched in silence, were already among the wigwams, when an Indian came out of one of them and gave the alarm. The old men, women, and children fled. The warriors, sixty in number, tried to make a stand. The English, according to their orders, held their fire till the Indians had discharged their guns in a hurried and harmless volley. The English then fired with fatal effect. After a second discharge of their pieces, the Indians fled to the river, which was there about sixty feet wide, and at the time some six feet deep. After shooting some fugitives, as they paddled or swam across, the English returned to the town. Orders had been given to spare Rasle, but a lieutenant burst in the door of his wigwam, and shot him dead. He said, for his justification, that Rasle came on loading and firing, and refused to accept quarter. Harman declared, under oath, that during the action the priest stabbed and shot an English boy, who had been brought to him as a prisoner

An Indian village afforded but little plunder. The plate of the chapel was brought away, and those *properties* which were not worth conveyance were destroyed. Harman's detachment

came in, having found little service to do, and the party remained together that night. The next morning twenty-seven dead bodies of the enemy were counted, including that of Rasle. Bomazeen and Mogg, chiefs who had been of importance in the recent movements, were among them. When the return march had been begun, a friendly Indian was sent back to set fire to the church and the village. After an absence of only four days, the party, having suffered no loss, came back to Fort Richmond. The pernicious Popish mission was not renewed, and we read scarcely anything more of the Norridgewocks in the history of the tribes.

The story of this transaction has been told as it is recorded in the English journals of the time. The preposterous statement in the narrative of Father Charlevoix, that the invading force consisted of eleven hundred men, does not conciliate belief to the rest of his story. According to that account, the approach of the English was first made known by "a general discharge of their muskets, by which all the wigwams were pierced. There were then only fifty warriors in the village. . . . . Father Rasle, informed by the shouts and tumult of the danger of his converts, went boldly to present himself to the assailants, in hopes to draw their attention upon himself, and so to protect his flock at the peril of his own life. His hope was not vain. No sooner was he seen than the English uttered a loud cry, followed by a

volley of musketry. He fell dead near a cross which he had set up in the middle of the village. Seven Indians who were with him, and who wished to make a rampart for him with their bodies, were killed by his side. . . . . The English, seeing no more show of resistance, fell to plundering and burning the cabins, not sparing the church, which they set on fire, after having desecrated the sacred vessels and the adorable body of Jesus Christ. They then withdrew with a precipitancy like flight, as if they had been smitten with a panic terror. The Indians immediately returned to their village, where their first care, while the women were looking for herbs and plants for the cure of the wounded, was to weep over the body of their holy missionary. They found it pierced with a thousand wounds, the scalp torn off, the skull broken by hatchets, and the mouth and eyes filled with mud, the legs broken, and all the members mutilated a hundred ways."

As winter approached, which was the season of the most frequent devastations, Colonel Westbrooke, with three hundred men, scoured the country between the Kennebec and the Penobscot, but found no hostile movement. An attempt was made to arrange affairs through the French governor at Quebec. The General Court sent to him a commission of three persons to threaten that if he did not discontinue his intrigues in Maine, his countrymen in Nova Scotia should

pay the forfeit. He pretended ignorance of what had been going on, till his letters to Rasle, taken at Norridgewock, were produced. Whatever prisoners were held by the Indians, he said, were in no way subject to his disposal, but he agreed to a ransom for some sixteen persons who were in the hands of the French. To engage volunteers, the government had been in the habit, through these wars, of paying a bounty for Indian enemies killed or made captive. At this time the bounty for the scalp, which was the evidence of an Indian slain, was as high as a hundred pounds.

One of the enterprising partisans whom patriotism or a less elevated motive enlisted was John Lovewell of Dunstable. He came to Boston for his money with a prisoner and a scalp, brought as far as from the region of the White Mountains. By a solitary pond in what is now Fryeburg, next to Conway, sixty miles above Dover, he came with his party upon ten Indians asleep round a fire; his men killed them all, and their scalps were brought to the treasurer at Boston. Lovewell trusted too much to the facilities of his hunting-ground. The enemy, too, was good at ambuscades. On a third expedition, in which he was accompanied by thirty or forty men, he reached a pond in the same neighborhood as before, where a single Indian appeared, standing upon a conspicuous point of land. The English, who had thrown off their packs, went round after him along the shore. He

1725. Jan. 5.

March 9.

May.

kept his place till they came up and shot him, having fired before he fell, wounding Lovewell and one of his men. About eighty Indians, meanwhile, had placed themselves in ambush on the way by which the English were to return for their baggage. The English, suddenly attacked, retreated to the pond, where they kept up the fight for five or six hours till night came on. Lovewell, with his two next officers and five others, fell. Sixteen of the company got off without harm. Eight, too much wounded to proceed, had to be left to their fate. The chaplain, Frye of Andover, was much commended for his brave conduct. The little lake which was the scene of the action is now called Lovell's Pond, and the name of the town in which it lies commemorates the valiant chaplain.

The irresolute redmen had again become tired of the war, and the death of Rasle had relieved them from the mischievous French influence. The Penobscots, who had always been the most tractable of the eastern tribes, professed friendly dispositions. They sent a delegation to St.
July 2. George's River, where they were met by other Indians and by commissioners from Boston; an agreement was made for a time with a view to further negotiations; and some Penobscot
July 28–31. chiefs came to Boston, where they ratified this compact with the lieutenant-governor. A
Nov. 16. treaty of peace was consequently arranged
Dec. 15. in Boston, which was put into shape under

the title of a "Submission and Agreement of the Delegates of the Eastern Indians, namely, the Penobscot, Norridgewock, St. John, Cape Sables, and other tribes inhabiting within his Majesty's Territories of New England and Nova Scotia."

Probably some doubt was entertained as to the authority of the Indian delegates to bind all these tribes. In the following summer the chief magistrates of Massachusetts and of New Hampshire came to Falmouth to obtain a ratification with circumstances of due solemnity. The chiefs who appeared proposed the transfer of the conference to Pemaquid. But to this the governors would not consent; and at length a ratification was obtained, as sufficient as the circumstances admitted. It does not appear that any representatives of the Norridgewock tribe, or indeed of any tribe except the Penobscot, were parties to it. The treaty now made accomplished its object better than earlier pacifications, not so much by virtue of any more binding character in its pledges, or of any new provisions, as because the French influence was for the present in great part suspended, and because the prudence of Lieutenant-Governor Dummer provided for the judicious management of the trading-houses, which he had engaged to keep up among the natives, and which, when well conducted, gave them important accommodation for their purchases and sales.

1726. July 16. Aug. 6.

Two hundred Englishmen are believed to have

been killed or carried off by the Indians during the four years of this war; and the cost of it has been estimated at two hundred and fifty thousand pounds. This large expense increased the long-existing financial difficulties, and renewed one chief occasion of dispute between the chief magistrate and the Representatives. A bill for the issue of notes of credit to the amount of fifty thousand pounds obtained the reluctant concurrence of the Council. The lieutenant-governor laid before the Council the King's instruction to approve no such bill. They agreed with him that his approval must be withheld, and the measure fell through accordingly. The House used its power and manifested its displeasure by forbearing to make grants for salaries; and the governor complained that he was left without support, because he declined to violate his instructions.

The instruction, however, made an exception for such sums as were wanted "for defraying the necessary charges of government," and for this clause a singular interpretation was proposed. To defray the annual necessary charges of government, the sum of twenty-four hundred pounds was necessary, — the interest, at four per cent, of sixty thousand pounds. It was urged, accordingly, upon the governor, that he would not violate his instructions if he consented to the issuing and lending of that sum in order to secure an income from the loan to pay for carrying on the government. He proposed the question to the Council, who

declined to give their advice, but expressed their judgment that, if the lieutenant-governor should find it consistent with his obligations to give his assent, it would be "for the good and welfare of the province." He signed the bill, and immediately the usual allowances were voted by the House.

The House was disposed to enlarge its power by encroachment on the prerogatives of the Council, as well as of the governor. While for purposes of legislation the two Houses, much unequal in numbers, acted separately and concurrently, each equal in power to the other, it had been their practice, in the election of civil officers, to vote in a convention, in which a counsellor's suffrage counted for no more than that of a representative. The House was for enlarging this abnormal jurisdiction so as to embrace judicial action, and voted "that, when a hearing shall be had on any private cause before both Houses together, the subject-matter shall be determined by both Houses conjunctly." The Council unanimously refused its concurrence.

Meanwhile, Shute was in England, in no good humor with Massachusetts. Soon after his arrival he submitted to the King a memorial, with a formal complaint of the misconduct of the House of Representatives in the following particulars: namely, in respect to the ship-timber belonging to the King; to their claim to choose a Speaker, and to adjourn themselves independently of the governor's consent; to their appointment

1723. August.

of Fast days and Thanksgiving days; to usurpations of the governor's rights as commander-in-chief of the military force, in interfering with the care of the castle, the disposal of officers, and arrangements of the eastern war; to their persistence in crippling him as to his maintenance, and delaying their grants to him till he had met their wishes as to giving his signature to their bills; and, in short, to their perpetual invasions of "the few prerogatives that had been reserved by the crown." "The House of Representatives," he wrote, "are in a manner the whole legislative, and in a good measure the executive power of the province. . . . . The greatest part of them are of small fortunes and mean education, men of the best sense and circumstances generally residing at or near Boston. . . . . Were it not for this Act [the Act of thirty years before, requiring the Representatives of towns to be residents], the Assembly would certainly consist of men of much better sense, temper, and fortunes than they do at present," though even the people of Boston, he had to add, "supposed to contain about eighteen thousand inhabitants," were "too much disposed to a levelling spirit, too apt to be mutinous and disorderly." On being informed by their agent of these complaints, the House passed a vote appropriating a hundred pounds for the employment of counsel to make a defence. But the Council unanimously refused. An answer to the complaints and an Address to the King were then

prepared by the House; and, though the Council thought both of them ill considered and imprudent, and again refused to concur, the House ordered that they should be transmitted to the agent. The House proceeded to resolve that "in consequence of Governor Shute's memorial to his Majesty, it was their duty as well as interest to send some suitable person or persons from hence to use the best method that may be to defend the constitution and charter privileges." The Council proposed to substitute a vote intrusting the business to Jeremiah Dummer, who had just published his "Defence of the Charters." An agreement was finally made for Mr. Cooke to be joined with Mr. Dummer in the agency in England, and he sailed without delay. 1724. Jan. 18.

His arrival there stimulated the governor to new activity. In a second memorial, he complained of the House of Representatives March 5. for objecting to payments legally made by the governor and Council; for refusing necessary supplies to the treasury; and for extending to the custody of the castle their usurping pretensions to the disposal of the militia. He represented various misdeeds of the House since his departure, — that they had affronted the lieutenant-governor by interfering with his right to command the troops, and to use what seal he pleased in transactions with the Indians; that Mr. Cooke, whom they had chosen to be their agent, was disaffected to the crown, and had been at the head of the

factious movements; that the House had made no grant for his own pay since he left the province; that they had "been all along endeavoring to intimidate the Council, and to weaken the credit of the Council with the people"; and that, in short, they steadily pursued their policy of aggrandizement and usurpation. The House of Representatives, he said, had "in a manner got the whole legislative and executive power into their own hands," obtained the control of the military force, and "overborne the Council, to the giving up the only remaining security of the few and undoubted prerogatives of the crown." He refused so much as to see Mr. Cooke, and Dummer's persistence in the endeavor to bring them together had even the effect of alienating his associate from himself. Cooke presented a memorial to the Duke of Newcastle, praying for a postponement of action on Shute's complaint till he should have time to obtain further instructions from home.

April 11.

It may well be doubted whether any advantageous effect would have followed on such a zealous joint action of the agents of Massachusetts as was at all events prevented by their private jealousies. On a report of the law-officers of the crown, to whom, at Cooke's request, a reply to Shute which had reached the agent from Massachusetts, and a memorial of his own, founded upon it, had been referred, the House was condemned by the Privy Council as

Aug. 22.

to all the points in issue. The Council represented to the King that Shute had "acted with great zeal and fidelity," and had "made good his charge of invading and encroaching upon your Majesty's prerogative. . . . . The conduct of the said House of Representatives tends greatly to weaken the subordination and dependence of this colony upon the crown of Great Britain, and may be of evil example in other plantations." Therefore "all proper legal measures should be taken to assert your Majesty's royal authority and prosecute all such as have contemned the same, unless a due obedience be paid to your Majesty for the future." The agents were accordingly enjoined to stop the irregularities of their constituents in respect to encroachments on the forests and on the employment of the troops; but no further formal measure of repression was adopted, except the granting of what was called an Explanatory Charter, in which the necessity of the governor's consent in the choice of a Speaker for the House, and in its adjourning itself for more than two days, was expressly affirmed.

That the advantage was not pursued in an attempt to vacate the charter in the courts may occasion surprise. Perhaps the Ministry thought that the pear was surely maturing, but was not yet quite ripe. Should the Explanatory Charter be rejected, should the plunder of the masts and the interference with the control of the troops be

continued after this warning, each of which results might seem extremely probable from the past contumacy of the provincial authorities, a clearer case would be made against them, and a legal process, or a proceeding in Parliament, which was threatened, would be facilitated. On the other hand, should the province yield without further struggle the other points now contested, this would be an augury of more quiet and submission on its part for the future. The House seems to have become convinced that for the present it had gone as far in opposition as prudence would
1726. allow, and in concurrence with the Council
Jan. 15. it voted to accept the Explanatory Charter,
Jan. 18. though not till after a warm debate. Dummer informed the Duke of Newcastle how "dutifully" the House had in this instance behaved. It may be believed that for some friends the measure was indebted to its provisions implying a waiver and condonation of some causes of complaint, and expressly confirming the existing charter, for which no little anxiety might well be felt.

While these transactions were in progress, the British government was displeased by intelligence of what they were especially sensitive upon, — a religious movement in Massachusetts. No synod had ever been held there since four years before
1725. the abrogation of the old colonial charter.
May 27. The ministers, under the lead of Cotton Mather, now proposed to have one, "considering," they said in their memorial to the General Court,

"the great and visible decay of piety in the country, and the growth of many miscarriages, which we fear may have provoked the glorious Lord in a series of various judgments wonderfully to distress us." The Council gave its approbation to the scheme. The Episcopal clergymen of Boston, Cutler and Miles, remonstrated. Both branches of the Court rebuked the remonstrance, but the House referred the further consideration of the subject to the next session. June 3.

Meantime the Bishop of London, Dr. Gibson, apprised by his clergymen in Boston, laid information of what was going on before the Lords Justices administering the government while the King was in Hanover, and expressed his "fear lest it should give a fresh handle of complaint among the clergy here, who are apt to clamor for a sitting convocation." He "thought it might be a doubt, upon the Act of Union between England and Scotland, whether the Independents in New England are anything more than a tolerated ministry and people. The clergy established here," he added, "may think it hard to be debarred of a liberty which is indulged in the tolerated ministers there, and the tolerated ministers here may think it equitable that their privileges should not be less than those of their brethren in New England." Yorke and Wearg, Attorney-General and Solicitor-General, gave to the Lords Justices their opinion: 1. That synods Aug. 17. Aug 21. Sept. 29.

cannot lawfully be held without the royal license; 2. That an application to the provincial legislature was a contempt of the sovereign, which Dummer should have rebuked; and, 3. That if notice of this should find them (the synod) in session, the lieutenant-governor should "signify to them . . . . . that they do forbear to meet any more"; and, if they persevere, "that the principal actors therein be prosecuted by information for a misdemeanor." This prohibition was too serious to be matched by any attachment to the measure, and it was not persisted in. "Their excellencies," Jeremiah Dummer wrote home, "are very much displeased. It is thought here that the clergy should not meet in so public and authoritative a manner without the King's consent as head of the church; and that it would be a bad precedent for Dissenters here to ask the same privilege, which, if granted, would be a sort of vying with the Established Church. It has also been insinuated that the clergy would have come to some resolutions to the prejudice of the Church of England, if they had been permitted to convene."

1726. March. The lieutenant-governor excused himself to the Board of Trade for his degree of complicity in the offence. A similar proceeding, he said, had passed without censure ten years before. On the present occasion the scheme had been no further approved than to be referred for consideration to the next session of the Court, and he had not thought himself under obligation to offer

opposition, as his expectation had been that it would pass by without coming up again; an expectation which the fact had justified.

Shute presented a memorial for an allowance of the arrears of his pay. The Privy Council advised the King to "signify his royal pleasure to the said Mr. Shute by his sign-manual, commanding him to acquaint the General Assembly of those provinces [Massachusetts and New Hampshire] that, if they hope to recommend themselves to the continuance of your Majesty's royal grace and favor, it must be by an immediate compliance with what has been so often recommended to them" as to "a fixed and honorable salary." If they do not comply, it is added, "the committee do humbly apprehend that it may be worthy the consideration of the Legislature." Governor Shute may have hoped that the coercion of this threat would secure to him a more satisfactory administration of his province. He had all but embarked on his return thither, when the sudden death of the King vacated his commission.

1727. March 28.

June 11.

CHAPTER IV.

NEW HAMPSHIRE, RHODE ISLAND, AND CONNECTICUT.

1716. At the time of the arrival of Governor Shute in New England, the population of New Hampshire was computed at nine thousand persons, of which number there were fifteen hundred men, very few white servants, and a hundred and fifty blacks. The principal productions of the province were ships, "lumber, fish, masts for the royal navy, and turpentine," the annual value of the whole "seldom exceeding fifty thousand pounds per annum of New England money." The lumber and some of the fish were exported to the West Indies and to the Western Islands in exchange for sugar, molasses, rum, and wine. Lumber, tar, and turpentine, sent to England and Ireland, brought back linen and woollen manufactured goods. The proceeds of fish shipped to Portugal and Italy were returned in salt, or remitted to England for purchases there. Twenty vessels made foreign voyages, and about a hundred were engaged in fishing. The province had some four hundred seamen. There were no manufactures of any kind.

While the litigation with Allen was going on

in England, George Vaughan, son of the former counsellor, William Vaughan, was employed there in maintaining the claim of the occupants of the soil. His own activity and his father's position recommended him to the favor of men in power, and, when Burgess was made governor of Massachusetts and New Hampshire, Vaughan was appointed his lieutenant for the latter province. He came over immediately, and claimed the place. Usher contested his right to act before the arrival of his principal. But the Assembly allowed Vaughan's title, and Usher did not persist in his opposition. 1715. Oct. 30.

The Board of Trade, who thought they were too little consulted by the ministry, were displeased with Vaughan's appointment. They considered it liable to the same objection as had formerly been made against Partridge's, and that "there would be as much propriety in appointing a wolf to preserve the flocks of England, as to nominate a man concerned in saw-mills to guard from waste the masts reserved for the navy of Britain." And their dissatisfaction was not lessened when the difficulties he experienced from the contumacy of the provincials were such as to cause him to represent that their divisions were "so great as hardly to be expressed."

Dudley was now holding the office of governor by what he knew to be a feeble tenure, and he came no more into New Hampshire. Vaughan lost no time in calling an Assem- Nov. 3.

bly, which, not coming up to his wishes in respect to a grant of money, was as speedily dissolved.

1716. Aug. 21. He urged his demand on the next Assembly, which not only refused to accede to it, but resolved to defer all further consideration of the matter till the governor should arrive.

When Shute came in that character, his first pressing business in the province related to the scarcity of money, occasioned by the same causes as in Massachusetts. He began with giving offence to the House by ordering them to hold a

1717. Jan. 24. conference with the Council on a question which he refused to announce beforehand; and when it turned out to be the question whether the issue of bills of credit should be to the amount which they had consented to, or to a larger amount proposed by the Council, they proved to be impracticable, and the Assembly was dissolved. A new House came together in a better mood, and satisfied the governor by agreeing to issue bills of credit to the amount of fifteen thousand pounds, to be lent for fifteen years, at ten per cent interest.

A quarrel followed between the governor and his second in authority. According to Shute's interpretation of his commission, he was always governor of New Hampshire, whether present or not within its borders. Vaughan held that in the governor's absence the chief executive authority resided in himself. Shute wrote to him to proclaim a day of fasting in New Hampshire, and it was not

done. He instructed Vaughan to prorogue the Assembly, and Vaughan dissolved it. Vaughan suspended a counsellor who reproved his insubordination. Shute came to Portsmouth, restored the counsellor, and suspended Vaughan. The Assembly declared its disapprobation of Vaughan's course. The representatives of one town, Hampton, expressed the opposite view in language so warm that the governor called it libellous, and, with the Council's concurrence, he put them under heavy bonds for their good behavior. In England, Shute's interest prevailed, with the aid of Sir William Ashurst, who, though not now official agent for any of the colonies, was much consulted on their affairs, and who had been displeased by a proposal of Vaughan, while in England, to raise a tax in New Hampshire to be paid to officers of the crown. Vaughan was accordingly displaced by Joseph Addison, then Secretary of State. John Wentworth, of New Hampshire lineage and birth, formerly a sea-captain, now an opulent merchant, and for the last fourteen years a Counsellor of the province, was appointed to the office. He retained it for seventeen years, administering it with conscientiousness and good judgment, and giving no cause of offence. Sept. 24.

New Hampshire had begun to extend its narrow limits, which hitherto embraced only a space of some fifteen miles about the mouth of the Piscataqua. The town of Stratham, within that

1716. March 20. boundary, had been set off from Exeter with a separate incorporation, just before Shute's arrival. The settlement of Londonderry was of more importance. A hundred families from the town of that name in Ireland, famous for its heroic defence against the troops of King James the Second, resolved, with their four ministers, to establish themselves in America. Sixteen of these families, to whom others were soon added, received permission from the General Court of Massachusetts to occupy a tract of land on the left bank of the Merrimack, which, from the character of the growth upon it, was then known by the name of Nutfield. A few miles below the point where that river now turns the vast wheels of the mills of Manchester, they established a manufactory of linen, spinning and weaving their flax by hand labor. From their arrival, too, is to be dated in this country the culture of the potato.

1719. April 11

A question arose about the acquisition of a good title to their lands. In the old controversy with Allen (Mason's assign) it had been allowed on the other side that all of New Hampshire belonged to him except the already settled lands. But his heirs were minors; Usher, with them, had his indefinite claims; and all parties, probably, were tired enough of the question to be willing to abstain from pressing it. Lieutenant-Governor Wentworth undertook to cut the knot. The jurisdiction, at all events, belonged to the

King, whoever might prove to have the property of the soil. Wentworth gave to the Irish Presbyterians a guarded permission to establish themselves on the tract on the Merrimack, which with a natural feeling they called *Londonderry.* He proceeded to make grants for the towns of Rochester, Barrington, Nottingham, and Chester, enclosing the old towns within an arc of a circle of thirty miles' radius, extending from the Piscataqua to Londonderry. Massachusetts, still holding to her original claim in respect to her chartered limits, incorporated the town of Rumford, now Concord, still higher up on the Merrimack. The grants which have just been mentioned of the four towns were made on the condition, "as far as in us lies," with reference to possible claims of Mason's assigns. The transaction was completed on the eve of Shute's departure for England, which left Wentworth at the head of the government of New Hampshire. The Assembly of that province settled no salary upon Shute, but generally granted him a hundred pounds a year in two payments.

1719

1722.

1726.

The same causes that had excited the people of New Hampshire against the deposed Surveyor of the Woods prepared an unfriendly reception for John Armstrong, the deputy of Burnister, who had been appointed to that office. Armstrong had first come to America nominally as Secretary to Lord Bellomont, but having for his more important employment an agency

1706.

from Blathwayt, Secretary to the Board of Trade, Sir Matthew Dudley, and others, who had formed a company for the exploration of mines in New England, and for a traffic in naval stores. Shute professed himself "satisfied with Armstrong's good services" as deputy-surveyor of the woods, but a

1722. Nov. 13. memorial from New Hampshire represented him to the Privy Council as guilty of "extortion, taking bribes, negligence, perjury, and disaffection to the King." He was consequently

1725. Nov. 2 recalled, but succeeded in exculpating himself, and came back to resume his invidious duties.

In the first year of the reign of King George the First, the population of Rhode Island

1715. was estimated at nine thousand persons, of whom five hundred were negroes. Colonel Samuel Cranston, who died in office, was

1727. governor through the whole of that reign, as he had been through the reign of Queen Anne and the four last years of King William. Nine towns, namely, Newport, Providence, Portsmouth, Warwick, Westerly, Kingston, New Shoreham, Jamestown, and Greenwich, sent delegates to the General Assembly.

The Board of Trade represented to the King that "since neither . . . . . Connecticut

1714. nor Rhode Island were obliged to submit their laws to royal revision, an Act of Parliament was necessary to compel them to do that, without which it was impossible to enforce their submis-

sion." A bill was accordingly brought into the House of Commons for amending the charters of those colonies. It was on that 1715. occasion that Jeremiah Dummer wrote his able Defence of the American Charters. But the measure was dropped in Parliament, and it was not till seven years later that a new 1722. alarm occasioned the publication of the treatise.

The Board of Trade had charged the people of Rhode Island with "numerous misfeasances," of which one was their way of eluding a law of the reign of King William requiring that "all propriety governors shall be allowed and approved of by the King, before they enter upon the government. But by choosing the governor annually, though it is generally the same person, his turn is expired before any such approbation can be had, if they did apply for it pursuant to the above Act, which hitherto they never have done." At the same time a committee of the Council, instructed to advise that body concerning the long-disputed boundary between Rhode Island and Connecticut, reported that "it were to be wished that they would both voluntarily submit themselves to his Majesty's immediate government, as some other colonies have done, and that they might be annexed to New Hampshire." It was not to be expected that either Connecticut or Rhode Island would willingly come into such an arrangement, even had there been no other objection than that New Hampshire, being merely a

royal unchartered province, was subject to whatever regulations the King might from time to time be disposed to make for its administration, — a liability which would have equally attached to the other governments, had the annexation which was proposed taken place. The true method of promoting the welfare of all the parties concerned, had the British Court had no other object, and had circumstances admitted of its being taken, would have been to replace New Hampshire under the authority and protection of Massachusetts, and to give to the turbulent towns of Rhode Island the benefit of the orderly administration of Connecticut, by an obliteration of the disputed eastern boundary of the latter colony, similar to what had taken place when New Haven, sixty years before, had been annexed to it on the west.

October. At the beginning of the Indian war, the Assembly of Rhode Island, on a request from Governor Shute for assistance in men and money, raised a committee to inquire into the merits of the case. Having entertained the question somewhat over two years, the Assembly decided that "although the said Indian rebels deserved nothing but a total extirpation from the face of the earth for their continual and repeated rebellions, hostilities, and perfidiousness, yet that it would be by no means justifiable in the colony of Rhode Island to join with the province of Massachusetts in the prosecution of said war, as things were at present circumstanced,

1724 Dec 29

for the reasons, — that Rhode Island did its part towards the common defence by maintaining the maritime frontier; that the King's pleasure ought first to be ascertained, "who in his great wisdom might find out and prescribe ways to make those wild and inaccessible subjects of his come in and tamely submit to his government"; that "Rhode Island was never advised with by the province of Massachusetts" in making war or peace with the Indians; that in treaties she had secured to herself the advantages of Indian trade; and that it was not for Rhode Island to "buy for the Massachusetts this privilege with the blood of their young and strong." But they took the spirited measure of ordering a letter to be addressed to the governor of Canada, threatening him that, if he did not desist from his intrigues with the savages, Rhode Island would take part in the war. The menace failed to deter the obstinate Vaudreuil.

Rhode Island was suffering from the great financial error of the time. Following with less excuse, but not till after some years, the unfortunate example of Massachusetts, she had undertaken to pay her war expenses by promises to pay, to which, so far as law could do it, she gave the character of money. There was some intelligent distrust, and a short suspension of the process; but it was presently revived, and paper money continued to be made in Rhode Island down to the year of the framing of the Constitution of the United States.

1710 1711.

1715.

It must be owned that this easy command of funds did not tempt the colony to extravagant expense. On the contrary, its creditors, whether individuals or neighboring provinces, had frequent reason to complain of an unfavorable reception of their claims.

The laws of the colony, such as they were, were observed to "lie in a very disordered condition, and only in the hands of some few persons"; and two Deputies were empowered to collect and transcribe them for the press. A difficulty occurred, relating to that engagement under oath which is thought to contribute to the safe administration of justice. "Several persons, who were of this body politic, scrupled to take an engagement where the words 'as in the presence of God' is in, whereby the corporation was much hurt for want of their service in the same"; and, to relieve their sensitive conscience, the simple solemnity was dispensed with. Some of the citizens were less fastidious in their notions of political duty, and had to be restrained by law, under a penalty of fine, whipping, or imprisonment, from their practice of "putting or delivering into the hat two, three, or more votes for one officer, at the general elections, and other town elections." In one thing the expenditure of the colony was liberal. From the magnitude of the bounties offered for their destruction it must be inferred that wolves still abounded in Rhode Island. The extirpation of rats was also a subject of legislation.

The same people needed to be withheld from making agreements, susceptible of being enforced by law, for the maintenance of religious worship. With the wisdom of those who see the evil afar off and hide themselves, the Assembly of Rhode Island "enacted that what maintenance or salary may be thought needful or necessary by any of the churches, congregations, or societies of people, now inhabiting, or that may hereafter inhabit, within any part of this government, for the support of their or either of their minister or ministers, may be raised by a free contribution, and no other ways." Perhaps the precaution was suggested by movements for setting up Episcopal churches in Rhode Island; for the worship of that denomination was instituted in Providence soon after, and an Episcopal congregation had been organized in Newport not long before. This church was eminently loyal. In a memorial of its ministry, church-wardens, and vestry, they assured the King: "The religious and loyal principles of passive obedience and non-resistance are upon all suitable occasions strongly asserted and inculcated upon your Majesty's good subjects of this church." Even the people of Rhode Island sometimes found that there was inconvenience in unlimited freedom, and that there was wisdom in the rule for every one so to use his own as not to harm his neighbor. The pet freak of some inhabitants of the town of Westerly, who

1716. May 2.

1720.

1724. June 1.

called themselves *Sabbatarians*, was to set apart the seventh day of the week as holy time. "Re-
1725. peated informations" having been brought
May. in against them, that they "made a continual practice of doing servile labor on the first day of the week, and that they very publicly and otherwise profaned said day, which the law of the realm as well as of the colony appoint to be kept as a sabbath, which is a great offence to the rest of the inhabitants of said colony, and brings an odium upon the whole government as well as themselves, the General Assembly of the colony therefore advised and cautioned said inhabitants of Westerly in particular, and of the whole colony in general, that for the future they reform their aforesaid vicious practices, and conform to the law; considering that, though the ordinances of men may not square with their private principles, yet they must be subject to them, for the Lord's sake; and that, lest they incur the further displeasure of this Assembly, and put them upon a more rigorous method of suppressing the aforesaid enormities."

A law excluding Roman Catholics from the franchise, and from competency to hold office, appears in a collection of the statutes extant in a
1705 manuscript of the third year of Queen
1719. Anne. It is also in the collection printed in consequence of the vote just mentioned. In the imperfection of the records, the date of the enactment of that law, embodying so wide a

departure from the primitive principle of Rhode Island, remains uncertain. In the Act of Repeal passed after the emancipation from England, it is referred to the same year as the grant of the charter. The recent historian of the colony supposes that it never went through the forms of legislation, but was without authority interpolated by a committee which was charged to make a compilation of the laws in the time of the Earl of Bellomont, — a supposition which could not be entertained in respect to a community possessing the usual guaranties for the public order and safety, but which is not in itself incredible in respect to Rhode Island. The motive suggested in explanation of it, namely, that it was "in order that their privileges, then threatened by the powerful influence of Bellomont, might not be taken from them," is also the less improbable, as it accords with the usual unworthy policy of Rhode Island in its relations to the parent country.

1783. 1663. 1699.

Observing the anomalous state of society which existed in Rhode Island, it was not unnatural for the Episcopal Church to identify the institution of its own worship with the introduction of Christianity into that colony. "The people were negligent of all religion," says its historian, "till about the year 1722; the very best were such as called themselves Baptists or Quakers."

The extreme disinclination to control, which signalized this peculiar people, asserted itself

in military affairs, where it is attended with especial danger. The General Assembly had been prevailed upon to pass a law for the election of militia officers by their men. It was objected
1713. to by the governor as being in violation
June 16. of the charter, and was repealed. The repeal occasioned such dissatisfaction that "the militia visibly declined, not only to the scandal
1726. and reproach of the government, but also
June 14. to the imminent danger thereof," and the old system with some modification was restored, but only for four years, at the end of which time the experience of its "ill consequence" occasioned it to be again abolished. On the other hand, the franchise of the colony, originally so freely con-
1724. ferred, was subjected to rigorous limitation.
Feb. 18. A law was made establishing the possession of a freehold of the value of a hundred pounds, or an annual income from real estate of not less than two pounds, as a qualification of a voter. But the oldest son of a freeman shared in his father's privilege. This arrangement, so peculiar in a community otherwise so democratic, continued in force till nearly the middle of the present century.

After the return of Jahleel Brenton, who had been agent in England, William Penn had had the charge abroad of the affairs of Rhode Island.
1715. On the alarm for the charter at the begin-
June 13. ning of the reign of King George the First, Richard Partridge, described as "of London," was

appointed to be agent. His principal business proved to be, at first, to pacify the Lords of Trade and Plantations in respect to the charges made against the colony for illicit commerce. But presently the old question of the limits of the colony on the side of Connecticut assumed more importance, and Lieutenant-Governor Joseph Jenckes was sent over to be associated with him in the agency. The further progress and termination of this long-standing controversy will be related further on.

At the beginning of the reign of King George the First, the colony of Connecticut was believed to contain twenty-seven thousand five hundred people, of whom fifteen hundred were negroes. There were fifty towns, and about the same number of churches and of ministers, — the number of towns having nearly doubled since the Revolution. The occupations of the people were mostly agricultural, though Hartford and Wethersfield on the river, and New London, Stonington, New Haven, and other towns along the Sound, had vessels engaged in fishing, and carried on a considerable business with the West India Islands; and ships were built in all the inlets on the southern shore. There was for a time a delusive hope of profit from certain mines, — one in the town of Simsbury, the other in what afterwards became Wallingford, — which it was thought would yield copper, at least, in abundance, if not more valuable ores. The Gen- 1715.

1718. October. eral Assembly encouraged the exploration of them by granting certain privileges to the proprietors and their workmen; and not a little money was spent in the enterprise by capitalists of Massachusetts and New York. But it did not prove remunerative, and was abandoned after a few years. The excavated mine at Simsbury was afterwards turned to account as a State prison.

The system of consociation of churches, which had been organized by the synod convened at Saybrook, gave no little additional power to the clergy; and from an early period of the eighteenth century a severer religious rule began to prevail in Connecticut than in Massachusetts.

1708.

1721. May. October. Laws "for preventing and punishing the profanation of the Sabbath, or the Lord's Day," visited with pecuniary penalties absence from public worship, "rude behavior" on Sundays, and travelling on that day, except to and from the meeting-house. Some annoyance was occasioned by a sect known by the name of *Rogerenes*, disciples of John Rogers of New London, who had adopted and improved upon the scheme of his Rhode Island neighbors, the *Seventh-Day Baptists* of Westerly. Differing from the Quakers in their esteem for the ordinances of baptism and the Lord's Supper, in other of their practices the Rogerenes imitated that extraordinary people. They came into the churches during Sunday worship in objectionably scanty dress, and with violent vociferations, "charging the ministers with

lies and false doctrine." When they were brought into court, the judges and officers fared no better at their hands. The contest between them and the law was brought to an earlier termination, by reason, it is said, of the discovery of some gross immoralities of the leader, which tended to discredit him with his friends, and to cool their enthusiasm for his methods. Their irregularities probably occasioned the law by which persons absenting themselves from their "lawful congregation," and assembling for worship in private houses, were made punishable by a fine of twenty shillings for each transgression, and "whatsoever person, not being a lawfully allowed minister of the gospel, should presume to profane the holy sacraments by administering or making a show of administering them, was to incur the penalty of ten pounds, and suffer corporal punishment by whipping, not exceeding thirty stripes for each offence." In Andros's time the Church of England had gained a foothold in Connecticut, especially in the western part of the province. Its followers obtained from the government a fair recognition of their wishes. They were allowed to reclaim for their separate use as much as was levied on them in the town rates for the support of the ministry, and to tax themselves for as much more as was requisite for the maintaining of their worship.

1723. May.

1727. May.

The amended "Law concerning Schools" required that, "where there were seventy families

in any parish, the school should be there kept at least eleven months in a year, and where there was a less number of families, not less than half the year." For nearly twenty years the College of Connecticut had continued to be an unsatisfactory experiment. While the rector taught some pupils at Milford, and two tutors had other pupils at Saybrook, and the few scores of books which had been obtained for a library were divided between the two places, there was small prospect of the results for which institutions of learning are created. While there was a general agreement that whatever facilities for the higher education could be commanded should be brought together and combined, the choice of the place was embarrassed by various considerations, some having reference to the public good alone, others more or less to the interest of property holders, who calculated on being benefited by the proximity of a literary colony. Saybrook, Wethersfield, Hartford, and New Haven competed with each other for the preference, offering such contributions as they were able towards the erection of a college building. The offer from New Haven, larger than that of any other town, was seven hundred pounds sterling. The plan of fixing the College there, promoted by the great influence of Governor
1716. Saltonstall, was adopted by the trustees;
Oct. 17. and with money obtained by private gifts, and two hundred and fifty pounds, the avails of a sale of land given by the General Assembly, a

building was begun, which finally cost a thousand pounds sterling.

But the question of the permanent site of the College was not yet settled. A remonstrance was presented to the trustees, setting forth that there had been illegality in the proceedings; and it was not till after much debate in the lower House of Assembly that this clamor was disposed of by a vote which "advised the trustees to proceed." From that time, though opinions were not yet fully reconciled, affairs went on more prosperously. The Assembly gave a hundred pounds. Jeremiah Dummer sent from England a substantial present of books. Governor Saltonstall contributed fifty pounds sterling, and the same sum was presented by Jahleel Brenton, of Newport, in Rhode Island. But the chief patronage came from Elihu Yale, — a native of New Haven, but long resident in the East Indies, where he had been governor of Fort St. George. He was now a citizen of London, and governor of the East India Company. His contributions, continued through seven years, amounted to some four hundred pounds sterling, and he was understood to have made arrangements for a further bounty of five hundred pounds, which, however, through unfortunate accidents, never came to its destination. The province made a grant of forty pounds annually for seven years. Mr Andrew being unwilling to remove to New Haven, Mr. Timothy Cutler, min-

1717. October.

1711-1718.

1719. May.

ister of Stratford, was made rector. But
March. here occurred a mortifying disappointment. After a successful administration of the College of less than four years' duration, Cutler announced that he had conformed to the Church of England, a step which had also been taken at the same time by one of the tutors, and by the ministers of
1722 West Haven and North Haven. He was
Oct. 17. accordingly dismissed, and it was not till
1726. after four years that his place was supplied
September. by the induction of Mr. Elisha Williams, one of the ministers of Wethersfield. At this time the College had fifty-seven students.

The condition of the Mohegan Indians, of whom a considerable remnant, always persisting in their rejection of the faith of their Christian neighbors, still kept together on the ancient site of their tribe, occasionally called on the province for measures both of protection and of restraint.
1714. "Cæsar, sachem of Mohegan, Ben Uncas,
March 4. and several other Indians," complained to Governor Saltonstall that two English neighbors had "set up the frame of a house within the land of the Mohegan country." The Englishmen were men of consequence, but such considerations were not apt to weigh with the straightforward governor. Without a day's delay he arrested the trespassers, and placed them under bonds for their good behavior. It was, on the other hand, in respect to the Mohegans that the suspicions were first entertained which at this late time

spread through Connecticut a serious apprehension of a conspiracy among what remained of the tribes. The governor questioned the Mohegan, Pequod, and Niantic chiefs, who resolutely protested that they knew nothing of any hostile plot; and the result of a searching investigation rendered it probable that they had been maligned by persons who coveted their lands, but that disorderly behavior on the part of the Indians had given some real cause for suspicion; and they were accordingly admonished "to remove all the occasions of it, and particularly to abstain from drink, which puts men upon saying and doing things that are provoking." Intelligence of a savage inroad, which was marked by the destruction of Rutland, led to measures for securing the frontier towns of Simsbury and Litchfield, and to a direction to all the Indians in the colony to limit their hunting-excursions within certain bounds. The government complimented the Mohegans by sending representatives, "who understood well the language and manner of the Indians," to be present at their "convention . . . . . to install as their sachem Major Ben Uncas, the only surviving son of Uncas, formerly their sachem." "John Mason, of Stonington, in consideration of the respect justly due to the name of his ancestors, and the great trust the Mohegan Indians have had in them, as they now have in him, who has a great acquaintance with their language and

1720. June 18 – Oct. 3.

1723. Aug. 14.

October.

manners, and may in that respect, as well as others, be of great use and service in endeavoring both to civilize and Christianize them," was authorized by the General Court to occupy any land among them which they might assign, and "to protect them from wrongs, to set up a school among them, and acquaint them in the Christian religion." Three years later, agreeable to a petition of "Ben Uncas . . . . . with others" of the tribe, James Wadsworth and John Hall, both of them prominent citizens, were appointed to be their supervisors, and Ben Uncas was "established" as their sachem.

1726. October.

It has been seen that Governor Shute considered the General Court of Massachusetts to be precipitate in its hostile measures against the eastern savages. The government of Connecticut were of the same opinion. When applied to by Massachusetts for a contribution of men and munitions, the Legislature of the sister colony declined to afford such aid, though it placed some small garrisons in its own western settlements, and sent a detachment of troops to aid in the defence of the Massachusetts towns on Connecticut River. As time passed, and the savage invasions grew more annoying, Connecticut desired the governor to obtain precise information from the authorities of Massachusetts respecting the occasion, the objects, and plans of the war, and made arrangements for maintaining a small force as high up the river as the most

1722. Oct. 11.

1723. October.

northerly English settlements. The Indians committed now and then a murder in that quarter, but they did not come in force, and they eluded pursuit. The application from Massachusetts was more urgently repeated, but with no better success. Connecticut professed to be dissatisfied as to the justice of the war, and as to her not having been consulted before it was entered upon. Her historian thinks that this expression on her part expedited the peace which soon followed. This is not probable. It was enough that, without reckoning the wounds, the abductions, and the losses of property by fire and theft, Massachusetts had had one or two hundred men killed, and that there was no longer anything to fight for, for the Indians appeared to be tired out for the time, and to be willing to be peaceable, if they could have some trading facilities, which it was not difficult to afford. No Connecticut men lost their lives in this war, though it caused the colony an expenditure of some thousands of pounds.

1724. June. August. October.

But Connecticut managed its money affairs with a prudence which shamed its neighbors. In consequence of the disastrous attempt upon Canada, under Nicholson, the colony found itself compelled to issue bills of credit; but the amount was only eight thousand pounds. Four years later, just after the pacification of Utrecht, there was an order for a further issue of twenty thousand pounds; but only a

1709. July 12. 1713. October.

part of that sum was to be put in circulation from year to year, and the provisions for redemption were so judicious and so well enforced, that many years passed before the paper obligations of Connecticut ceased to have the whole value represented by them; and the depreciation never became considerable.

The war in the time of Queen Anne was regarded by many good people of Connecticut as having unfavorably affected the character of the soldiers, and through them of the community at large. The Assembly "took into their serious consideration the many evident tokens that the glory is departed, that the providences of God are plainly telling us that our ways do not please him"; and they recommended "to the reverend elders to inquire and report respecting the state of religion in each parish," and particularly "how and whether catechizing were duly attended, and whether there were a suitable number of Bibles in the various families in the respective parishes, and also if there were found in any parishes any that neglected attendance on the public worship on the Lord's Day; ..... and likewise, which and what are the sins and evils that provoke the just Majesty of Heaven to walk contrary unto us in the ways of his providence." The Assembly laid a formal injunction upon all judicial officers, constables, and grand jurors, to give their strictest attention to the laws for the education of children, and against profaneness, Sabbath-breaking, lying, swearing, and intemperance.

1714. May.

1715. October.

Even the normal sobriety of Connecticut did not absolutely avert the danger of popular tumults. One which took place in the time of Governor Saltonstall was of such violence as to call for an exercise of all his unfailing promptness and energy for its suppression. The right to a tract of land in and about what is now the town of Coventry was in dispute. A judicial decision dismissed the claim of Jeremiah Fitch, a deputy in the General Court, and otherwise a man of consequence. For resisting the execution, Fitch was committed to gaol in Hartford. His case was that of a number of his neighbors, who thought that injustice had been done, and that their own turn would be coming next. Their resentment got the better of their discretion. Some fifty of them went in procession to the gaol, and demanded the discharge of Fitch, which being refused by the keeper, they battered down the door with a heavy piece of timber and released him and his fellow-prisoners. The sheriff, with such help as he could suddenly collect, pursued the party, but was defied and worsted by them.

1722. March.

Oct. 22.

The sheriff made his report of these doings to the General Assembly, which at the time was in session at New Haven. The Assembly proceeded to its deliberation with closed doors, and with an injunction of secrecy upon its members. An Act was passed, declaring a riot to consist in the assembling of three

Oct. 24.

Oct 28.

or more persons for an unlawful purpose, and making it punishable by a fine of ten pounds, or imprisonment for not longer than six months, or whipping, or any two or all of these inflictions, at the discretion of the court. A special session of the Superior Court was ordered to be held forthwith for the trial of the recent offenders, who were indicted for burglary, the gaol being under the same roof with the keeper's dwelling.

1723. May. Fifteen persons were arraigned and convicted. Fitch escaped unpleasant consequences, it being held to be no evidence of complicity in the crime of beating down the door that he walked out of it when he found the way clear. The sheriffs were invested with new power to call out the *posse comitatus* and the militia, and it was especially enjoined "that the sheriffs no more return that they cannot do execution."

1683. Nov. 28. The agreement made in the time of King Charles the Second respecting the boundary line of Connecticut on the side of New York still remained unexecuted as to its northwardly extension. Connecticut appointed

1718 May. commissioners to join with others from the sister colony in marking the line and erecting monuments, "for the quieting the complaints and disorders of the borderers." "Difficulties," which are not described, having "prevented the execution of the order of the Assembly," its next

Dec 3 step was to ascertain the line by a surveyor

of its own. The consent of a joint commission, however, being still considered as "of great consequence to the peace of his Majesty's subjects bordering on said line," Connecticut made the experiment again, but again was disappointed. Wellnigh disheartened in her endeavors after joint action, Connecticut resolved, if one more proposal of it should prove fruitless, to solicit from the King an "order for the running and fixing said line, that the improvement of the lands bordering thereon may no longer remain under such discouragement." The chance of a settlement, except by royal intervention, seemed desperate when a committee of the New York Legislature accused the government of Connecticut of having defaced former monuments, and the latter retorted the charge, pronouncing it, as against themselves, to be "very unreasonable and even monstrous."

1719. May. 1720. January. 1723. May. October.

Nothing can be more tedious than the recital of the long strife about the boundary between Connecticut and Rhode Island. The reader will be relieved to know that it is approaching its end. The circumstances of an agreement which had been made respecting this line have been related. But it had never been run, though under instructions from the Assembly the governor of Rhode Island had twice appointed commissioners to meet commissioners from Connecticut for that purpose. The question was reopened by an order

1703. May 12. June 22. 1714 June 15. 1719.

from England to send over a map of the contested territory; and commissioners were appointed by both colonies. Again they failed to agree, and again Rhode Island appealed to the King, sending over her deputy-governor, Jenckes, to urge her claim, and charging treacherous conduct upon John Winthrop in obtaining the charter for his colony. The King in Council re-
1721 June 19. ferred the matter to the Board of Trade. The Board reported that the case of Rhode Island
1723. March 22. was not good in law, though they thought it probable "that King Charles the Second was surprised in his grant to Connecticut"; and they concluded that, as a convenient end to the dispute, "it were to be wished that they would both voluntarily submit themselves to his Majesty's immediate government, as some other colonies have done, and that they might be annexed to New Hampshire."

July 17. The Privy Council communicated this judgment to Partridge, agent for Rhode Island, and to Dummer, agent for Connecticut, who both, after a time sufficient to communicate with America, reported the disinclination of their respective principals to the proposal. Again com-
1724 October missioners were appointed by the two colonies to establish the boundary by mutual agreement, but no account of proceedings of theirs has been preserved. Connecticut, perhaps alarmed by the scheme of union with New Hampshire, had resolved to agree to any settlement,

rather than have the dispute prolonged. That colony wrote to the Board of Trade, "notwithstanding the priority of our charter to that of Rhode Island, his Majesty's determination will, on our part, put a perpetual end to the controversy, and confirm that peace between us and them which your Lordships have been pleased to express such a regard for." An order in Council accordingly determined the boundary to be "a line drawn from the mouth of Ashaway River, where it falls into the Pawcatuck River, and thence extending north to the south line of the Massachusetts Bay." The boundary thus established has been continued to this day. King's Province, thus included within Rhode Island, took the name of King's County (changed after fifty years to Washington County), the other counties being called respectively, Newport, and Providence.

1726 Feb. 8.

1729. June.

The settlement of the eastern boundary of Connecticut by the Privy Council might seem to be a confirmation of the charter of that colony from the highest authority, and a relinquishment of the long-cherished scheme to make Connecticut a royal estate. But the permanent jealousy in England of Connecticut as well as of Massachusetts, as aspiring to be independent, and as failing to enforce the English laws for the regulation of commerce, was constantly stimulated by the selfishness of English merchants. It has been related that, even before the death of King William, Joseph

Dudley, then in Parliament, had been concerned in the preparation of a bill for vacating the three New England charters, as well as those of New Jersey, Pennsylvania, Maryland, and some of the West India governments. The bill was defeated, when offered early in the next reign, — a result which was in no small part due to the exertions of Sir Henry Ashurst. Dudley and Lord Cornbury next presented complaints to the Privy Council, which after a hearing were dismissed. A similar attempt by the same parties, some years later, met with no better success. After Dudley's retirement it was renewed in England by the mercantile interest, and again a bill was brought into Parliament for the abolition of the charter governments. On this occasion, as has been mentioned, Dummer, then agent in England for Connecticut, wrote his famous treatise entitled "Defence of the American Charters." Again the project miscarried, and again it was revived. The quarrel in Massachusetts between Shute and the Representatives renewed the dissatisfaction in England against colonial privileges, and a resolute movement against them was reasonably feared. The damage was averted for the time by the publication of Dummer's book, which he dedicated to Lord Carteret (afterwards Earl of Granville), then newly made Secretary of State for the colonies.

1705.

1713.

1715.

1721.

His argument was disposed under four heads:

1. "That the charter governments have a good and undoubted right to their respective charters," which he urged by showing not only that they were grants from the sovereign, who had a right to make an irrevocable grant, but, further, "that the American charters were of a higher nature, and stood on a better foot, than the corporations in England," because "the former were given as premiums for services to be performed, and therefore were to be considered as grants upon a valuable consideration." 2. "That these governments have by no misbehavior forfeited their charters," under which head he showed that they had at much cost and with great valor defended their people and assailed the common enemy; that they had treated the natives equitably and humanely; that their administration of justice had been efficient and blameless; that they had observed and executed the laws of trade; that their legislation had not been "repugnant to the laws of Great Britain"; and that there was no danger of their becoming formidable to the mother-country. 3. "That it was not for the interest of the crown to resume the charters, if forfeited"; for such a resumption would impair colonial prosperity, and "whatever injures the trade of the plantations must in proportion affect Great Britain, the source and centre of their commerce, from whence they have their manufactures, whither they make their returns, and where all their superlucration is lodged." 4. "That it seemed in-

consistent with justice to disfranchise the charter colonies by an Act of Parliament instead of by a prosecution in the lower courts."

It was in the second year after Shute's return to England that a fit of apoplexy put an end to the life of Governor Saltonstall, when he had administered the government of Connecticut for sixteen successive years. A clergyman in the chief magistracy was a new thing in New England; but the experiment was in this instance grandly justified by its success. Winthrop, whom Saltonstall succeeded, was not equal to the demands of a time when the rigor of ancient opinions and manners was unavoidably abating. There was some danger that the pendulum would swing back too far; that the receding tide would pass into the region of extravagance and turbulence. The perpetual example of contiguous Rhode Island was unfavorable to good order; and that this influence was not unfelt may be inferred from the factious conduct of Mason and his friends, neighbors of that colony, in their dispute with the people of New London about the Mohegan lands, and of Fitch and his Coventry friends in the gaol-breaking riot. Saltonstall became governor in the year of the synod which arranged the Consociation of the churches. He forwarded that measure with all his great influence, and it was charged that in return the clergy had no little agency in promoting his elevation to civil office. His hand upon the helm

1724. Sept 20.

of state proved to be muscular and firm. To some it seemed to be even rough and heavy. But his abilities, energy, and various accomplishments were universally allowed, even when his enlightened public spirit sometimes failed to secure its due estimation.

The reader remembers Sir Richard Saltonstall, the early Assistant of the Massachusetts Company, and head of the party of emigrants which established itself at Watertown. His oldest son, Richard, afterwards also an Assistant, married Mariel Gurdon, of Assington, in the English county of Suffolk; and their oldest son, Nathaniel, born at Ipswich, in Massachusetts, and graduated at Harvard College, was, like his forefathers, an Assistant of the colony. Nathaniel's oldest son, born in Haverhill, received the name of Gurdon. He graduated at Harvard College, and, devoting himself to the clerical profession, became the minister of New London, and accordingly the pastor of the Winthrops.

1633. October. 1637. 1639. 1659. 1679–1686. 1666. March 27. 1684. 1691. Nov. 25.

A local occasion engaged him in business, which led, by unexpected consequences, to his large subsequent participation in the management of the affairs of the colony. One John Liveen, of New London, had devised property to "the ministry" of that town. John Winthrop and Edward Palmes, husband of Winthrop's sister, were executors of the will. Winthrop would have proceeded in the honest discharge of

1689. Oct. 19.

the trust. But Palmes, an ancient friend of Andros, refused to convey the property, holding that the devise was void, as being in violation of the English statute of mortmain, and that, if not void, the "ministry" contemplated by it must be construed to be the ministry recognized by the laws of England, that is, the ministry of the Episcopal Church. The colonial courts decided against him; but on the death of Liveen's widow, John and Nicholas Hallam, her sons by a former marriage, revived the question, and took the alarming measure of an appeal respecting it to the King's Privy Council. It was a question of radical importance, for it involved the goodness of the title to large amounts of property held by the towns for the maintenance of their pastors. And other questions, started at the same time by Major Palmes in connection with his inheritance from his father-in-law, touched the validity of the laws of Connecticut in respect to the distribution of intestate estates, and would have unsettled titles deemed secure since the beginning of her history.

1698.

John Winthrop became governor at this time. In his best estate he was scarcely equal to such a conflict. In the last years of his life he was much disabled by gout, and an embarrassment to his action arose from his being himself a party to one division of the controversy which was pending. It was natural that he should have recourse to a neighbor and friend, whose masterly

talents he knew how to estimate, and who was already prompted by partly personal reasons to vigilance and activity. Saltonstall was, or in these circumstances became, by far the most learned and able lawyer in the colony. In the last years of Winthrop's administration it was scarcely in anything but name that Saltonstall was not governor. The correspondence of the colony with its agents and other friends in England was conducted by his pen. The parties in his colony felt in every movement his commanding influence. As his habit of acting in the public business was strengthened, the objects of his attention in that sphere were multiplied. In addition to the dispute which first brought him into the political field, the claims of the Mohegan Indians, as they have been described, and the *location* of Yale College, furnished the most exciting questions of the period, and in all of them he had a hand, which was felt more and more to be weighty, if not controlling.

Meanwhile he had been pursuing his professional duties at New London, entirely unexpectant, as far as appears or may be guessed, of a transfer to any civil post. Winthrop died, and the 1707. Assembly, in joint ballot, passing over the Dec. 17. lieutenant-governor, Jones, chose Saltonstall to be governor till the time of the next popular election. The people elected him the next spring, and continued to do so every year to the close of his life. That he received these repeated tokens of

their confidence was not because he was popular, as that word is commonly accepted. As far as scorn was possible to his grave and placid mind, he loathed the arts which are resorted to by base natures for the winning of popular adulation. Not only did his lofty sense of right forbid and disdain all deference to the prejudices and passions alike of "the little vulgar and the great"; his personal dignity dictated abstinence from professions of his always generous devotion to the public welfare.

The element, in the western counties, of pretentious loyalty, and taste for the Church of England, the disputes about Indian lands in the eastern counties, and the division of opinion respecting the *location* of Yale College, afforded a basis for parties which, united in a common disaffection, were capable of creating frequent embarrassments for the administration; and, especially during the early part of Saltonstall's official term, he found the House of Deputies factious and intractable. So much had he been hampered and harassed that, after the experience of ten years in office, he resolved to rid himself of the galling burden. At no other time did he descend so much to self-vindication, as when, declining to accept the election which had just taken place, he said to the Assembly, "I have, I thank God, this satisfaction in my own mind, that I was removed from a station of public service, to which I was (though unworthy) called in the Church, into this

1717. May 10.

that I now am, without any the least secret projecting of it in my own breast. It was a real surprise to me. . . . . I can with all assurance say that I endeavored in this affair not to go before, but to follow (and I hope I did sincerely follow) the conduct of Divine Providence, to which I would still be entirely resigned. . . . . I am of opinion that it behooves any one who is intrusted as I am, to carry it in all management so as to deserve submission, and consequently to expect it. This I have endeavored to do, with all the condescension I could towards the peaceable and orderly. And when any persons behave themselves in an unruly and disorderly manner, I believe, too, they should be made sensible of their error. This also I have been solicitous to make my care, and this I am so firmly persuaded to be fit and necessary for upholding not only the honor but the usefulness and even being of government, that it 's impossible for me to do otherwise. Now if this be like to beget and increase an uneasiness among the people, if the maintaining some small degree of that respect due to government be not agreeable with our Constitution, it will be much better I should resign my charge, and never trouble others or myself any further with what in my opinion is so necessary and in theirs so grievous."

The House returned for the time to its better mind, and united with the other branch of the Assembly in entreating the governor "with his

wonted diligence and steadiness to proceed in the public business"; and he consented to retract his resignation. But as yet the favor of the deputies was fickle. Two years more brought the crisis of the governor's position. An attempt was made, by the nomination of Lieutenant-Governor Gold, to supersede him in the chief magistracy; and, apparently for the first time in her history, Connecticut witnessed a disputed election. The attempt not only failed disgracefully, but brought a powerful reaction to the governor's side. Hartford, angry with him for his influence in determining the place of the College, set aside her two deputies to the General Court, and sent her two ministers in their place. One of them was not only not admitted to his seat, but was put on trial for "defaming his Majesty's government in this colony," by charging the governor "with the breach of the sixth and eighth commandments"; while Major Fitch, the leader of the discontented party, was brought to retract publicly his calumnious words, and ask the governor's forgiveness for them. And thenceforward the course of Saltonstall's administration was tranquil to its close. Its wisdom and vigor moulded the sentiments of a transition period, and no man memorable on the bright roll of Connecticut worthies did more to establish for her that character which was indicated by the name, appropriated to her, generation after generation, of "the land of steady habits."

1719.

May.

The reader of this volume has had constant occasion to observe that, since the Revolution which overthrew the administration of Governor Andros and the government of King James the Second, the great early questions of New England politics had become obsolete. It might be, indeed, that the Protestant settlement of the English monarchy would after all be overthrown, and the despotic rule of the Stuart dynasty be re-established. But, at all events, for the present there was no danger of the ascendency of a Popish policy in the British Cabinet, and the legal toleration for dissenters which came in with the Prince of Orange, and was not withdrawn under his successors, was enough, imperfect system as it was, to set the colonists at rest as to the safety of their religious freedom. And, as they had recovered and preserved the right of legislating for themselves under certain restrictions, the complete bearing and force of which were not at first ascertained, it seemed that they might promise themselves security against the repetition of such abuses as had driven their ancestors from England, and might apply themselves with contented diligence to the ordinary pursuits of life, as communities do that are undisturbed by political injuries or apprehensions.

Under the new organization, whatever of political force survived was concentrated in the colonies of Massachusetts and Connecticut. The few and feeble towns of New Hampshire constituted a

royal province, unprotected by a charter, and lying at the King's mercy, except so far as Englishmen might be held entitled to the protection of English law in any and all circumstances. Plymouth no longer existed but as a part of Massachusetts. The small and ill-compacted population of Rhode Island had no policy of self-protection, except that of sycophancy to the English court, and of those disputes with its neighbors in which it might promise itself the favor of the home government, whose obvious policy it was to strengthen the feeble colony at the expense of those which were capable of offering more opposition to encroachments on the part of the crown. Connecticut, with her charter safe, and entitled by it, like Rhode Island, to choose all her own rulers, and within certain limits to conduct her own legislation, had little to keep her relation to the mother-country in mind Theoretically she could not make laws "repugnant to the laws of England"; but there was no effective provision for bringing her enactments under the revisal of the King's government, and, unless she allowed herself in such imprudence in respect to the English laws of trade as would alarm the cupidity of English merchants, and stimulate them to go before the Ministry with complaints, there was nothing to trouble her complete repose, or to prevent her people from passing lives of industrious tranquillity, unmolested by any public cares beyond that of providing for a fair and com

fortable domestic administration. Even French and Indians did not touch the sheltered villages of Connecticut. Often she did her part not illiberally in aid of Massachusetts and even of New Hampshire, but no Indian war-path reached so far as to the dwellings of her people.

On Massachusetts, therefore, devolved substantially the protection of the interests and the principles of New England in the decades that elapsed between the Revolution of the seventeenth century and the Revolution of the eighteenth. From the same causes, Massachusetts had the same relief as her sister colonies from the most fretting anxieties of earlier times. She was not subject, like New Hampshire, to the arbitrary discretion of the King's ministers. Like Rhode Island and Connecticut, she had a charter; though, unlike theirs, the privileges which it bestowed were hampered with onerous conditions. She had not, like them, the right to choose her own chief executive officers, but must receive them from unsympathizing men, ignorant of her affairs and wants, thousands of miles away. She had the reputation of being rich enough to be able to make the government over her a profitable job, on which account it was sought by one needy adventurer after another. Her recording-officer, appointed by the King, might be expected to fulfil strictly his duty, prescribed by the charter, of reporting her enactments to the Privy Council, by which body it was not to be supposed that they would be regarded with a

favorable eye. Her governor, a placeman of the King, had a material function in constituting one branch of her Legislature. Through him, their representative and agent, the British Ministry had the nomination of magistrates employed in the administration and execution of the law, and the power of arresting all obnoxious legislation.

Contemplating the dangers which lay, not hidden but patent, in such provisions, the observer of these times is less surprised at what at first view seems the captious jealousy entertained by Massachusetts of her royal governors. Phipps was one of her own people, — a shallow man, with friendly intentions, and incapable of occasioning alarm, even if the public attention had not been engrossed with military movements. During the little time passed by Lord Bellomont in Massachusetts, he cultivated the good-will of its people; but even then they were on their guard, and, though they made him grants of unprecedented liberality, they refused the request he was instructed to make for a fixed annual allowance. While Stoughton was at the head of affairs, the critical questions between the province and the government at home were in abeyance. The peremptory demands of Dudley were met with a positive and immovable resistance. The province would not, at the dictation of the home government, build a fort to protect an outlying waste, or establish salaries for the governor, lieu-

tenant-governor, and judges. His persistence and that of his masters had no effect, and he desisted from it, persuaded of its inutility.

The patriots of Massachusetts must have seen with satisfaction the abilities and resolution of Dudley exchanged for the moderate capacity of Shute, and it was natural that they should esteem the time a favorable one for settling precedents for future use. In Shute's administration the normal relation created by the provincial charter between the province and the mother-country first assumed its true outline and proportions. Every threat of cancelling that instrument was an evidence of ill-will on one side, and tended to aggravate the existing jealousy on the other. But it was impossible, from the first, that the working of the new constitution should be satisfactory to both parties. As often as it favored one it offered some annoyance to the other.

No maxim of political science is more indisputable than that for free governments the executive and legislative authorities must be kept distinct. Yet such is the difficulty or impossibility of preventing by special provisions all encroachment of one upon the other, that it is doubtful whether anything can effect it when there exists mistrust between the two departments. If one apprehends an attempt at usurpation on the other's part, its natural defence is in the most extended exercise of its own powers that is any way defensible or plausible. The method is retaliated, and the con-

test becomes one of extreme pretensions on both sides. So it was in England in the time of King Charles the First. So it was in Massachusetts when the Legislature undertook to withdraw the military command from Governor Shute. So it was in the first years that succeeded the overthrow of the Slave-Power Rebellion in the United States.

Extreme as may appear some of the measures of the patriot legislators of Massachusetts in their opposition to the early royal governors, it is striking to observe how they were justified by later events. To the end that executive and judicial officers may do their duty without fear or favor, it seems that they should not be dependent for their living on grants made by a legislature from time to time. And undoubtedly this is the truth, wherever circumstances are such that to exempt them from this form of dependence is in reality to secure to them the disinterested guidance of their own conscience and judgment. But, most unfortunately, the constitution of government under the provincial charter of Massachusetts was such, that the people could not make their governor and judges independent of themselves without throwing them into the adverse interest, and making them the partial and powerful dependents of the crown. When, forty years after Governor Shute's time, the colonies were plunging into the armed contest for political independence, the champions of American rights illustrated

in elaborate argument the occasions which had existed all along for keeping the governors and judges dependent on the people, as affording the only security against their becoming at once obsequious and powerful tools of the King, and accordingly as constituting an absolute necessity of freedom.

We have approached the period of the New England actors in the achievement of American Independence. When the first century of Massachusetts was coming to its end, simultaneously with the end of the reign of the first British monarch of the house of Hanover, James Otis, Samuel Adams, and Roger Sherman were children learning the alphabet; Israel Putnam was a school-boy; Jonathan Trumbull was a senior sophister of Harvard College; and the Boston-born printer, Benjamin Franklin, had just entered on man's estate.

END OF VOL. III.

Boston Public Library
3 9999 10502 590 0